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of the
Borough of Colchester.

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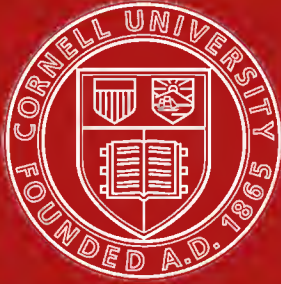
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Borough of  Colchester.

THE
CHARTERS

AND
LETTERS PATENT

GRANTED TO THE BOROUGH

By Richard I. and succeeding Sovereigns.

PRINTED BY ORDER OF THE COUNCIL OF THE BOROUGH, 1903.

Colchester :
R. W. CULLINGFORD, HIGH STREET AND EAST STOCKWELL STREET.

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*The originals of these Charters are in the possession of the Corporation.

The Corporation have Office Copies, obtained from the Record Office, of the other Charters, excepting that of 1 Richard I.

Introductory.

THE Charters of Colchester take us back to the year 1189, and prove also that before that date Colchester was a self-contained borough, with its own Courts, with power to appoint its own rulers and justices, with immunity from outside exactions, levies, penalties, and obligations, with freedom from the restrictions of the forest laws which affected other parts of the county and the country, with the cherished liberty of hunting the fox, the hare, and the polecat, and with the immemorial right of the river and the fishery in the Colne and its creeks, from bank to bank, from North Bridge in the middle of the borough to West Ness at the river's mouth about three miles below Brightlingsea. The Charter of 1189 tells us that these rights were then "confirmed" to the Burgesses of the royal borough by their lord the King. Other ancient documents in the great collection of the Borough muniments prove that the town's liberties had been in existence long before 1189, and had been confirmed by previous Charters. In Saxon times the same rights and immunities no doubt existed, though possibly not defined with pen and ink and parchment, but maintained by tradition and custom. The way in which these rights of Colchester were gradually defined and extended and brought into conformity with the gradually developing life of the country may be traced in the following translations of the twenty-six known Charters of the Borough, which take us by stepping stones, not too far apart, through eight centuries of English history.

The Charters have been treasured with considerable care by the successive rulers of the town. The annotations upon them by various Town Clerks, and the references made in the Borough Records to their production

in matters of litigation from time to time in the history of Colchester, show that they were studied and that they were often of the utmost importance to Colchester and its Burgesses. They are still of the greatest value to the town. It is no longer necessary that they should be renewed and confirmed from time to time, the modern duties and rights of boroughs being derived from Acts of Parliament. But these ancient parchments are necessary as title-deeds of the ancient possessions and privileges of Colchester, and have been successfully produced and relied upon in recent litigation concerning the corporate rights of the Borough as to its fishery and its other properties. The Colchester Town Council are indebted to Mr. H. J. Gurdon-Rebow, of Wyvenhoe Park, Mayor of Colchester in 1884-5, for the restoration of the fine Charter of Charles II. (1663). This Charter was found amongst the Rebow papers at Wyvenhoe Park. It is the one which was "surrendered" to Charles II. in 1684 (v. page 127). It had probably been entrusted later to Isaac Martin Rebow, who is mentioned as Recorder of the Borough in the Charter of 1763 (p. 187).

During the past few years the Museum and Muniment Committee of the Colchester Town Council, of which Committee Mr. J. C. Shenstone is Chairman, has been commendably active in the careful arrangement and preservation of the Borough Records. Each of the Charters of the Town has been sent to the authorities of the British Museum, and has been carefully examined and treated there by experts. Early in the last century Mr. Benjamin Strutt (Chamberlain of the Borough in 1806-7, and from 1813 to 1827) copied them, up to a certain point, in the original Latin. Translations were subsequently made for the purposes of litigation. These translations, which were defective in some details, have been carefully collated and corrected by Mr. Isaac Herbert Jeayes, of the British Museum. The revised and completed translations are now published by the Town Council at the suggestion of the Museum and Muniment Committee. They have been admirably indexed by Mr. William Smith, Committee Clerk, who in the preparation of papers in recent litigation concerning the Fishery, and the claims of the Freemen, had made himself thoroughly conversant with their details.

Two of the earlier Charters, those of Richard II. and Henry IV. are illuminated, but that of Richard II. has been left unfinished. The illumination of the Charter of Henry IV. is very rich and remains in excellent preservation. It includes portraits of St. Helena and Constantine, and the earliest known representation of the Borough Arms. An illustration of this initial letter is here given below. The initial letters in the Charters of Edward III. and Henry IV. are left in outline, unfinished, though it was evidently intended that they should be illuminated. In the Charter of Henry VII. three initial letters have been omitted altogether. It was obviously intended that they should be subsequently added in colour. The Charters of Queen Elizabeth and those of subsequent

adorned with which gradually time of the Georges, ing. Each Charter, George III., has a monarch granting these portraits are and William and

sovereigns are elaborate pen-work degenerated, in the into mere engraving from Elizabeth to portrait of the it. The best of those of Charles II. Mary.

In connection Richard II., 1378, detail has been translation, namely the parchment *facta* — *for one* inscription tells us payable were of the town having command, a barge



ILLUMINATED INITIAL LETTER OF THE
CHARTER GRANTED TO COLCHESTER,
1413,

With Portraits of St. Helena and her son Constantine the Great, who according to tradition was born at Colchester.

The inscription is "Sancta Elena nata fuit in Colceetria. Mater Constantini fuit et Sanctam Crucem invenit Elena." (St. Helen was born in Colchester. She was the mother of Constantine, and Helen found the Holy Cross).

The barge in question was probably one referred to in the Red Paper Book of Colchester* as having been made about the year 1375, at the joint expense of Colchester, Ipswich, and Hadleigh, for the use of Edward III. in the defence of the east coast. The Charter of Edward III. had cost the town £40 in fees and probably a good deal more in other expenses. The fees

* Red Paper Book. Transcription and Translation published with the sanction of the Colchester Town Council, 1902, page 4. In this connection ~~the Red Paper Book~~ that the Red Parchment Book and other archives of Colchester are in course of publication.

paid for the other Charters and confirmations seem to have varied considerably. In the time of Elizabeth the officials charged £12; in the time of Charles I., £20; in the time of Charles II., £13 6s. 8d.; and in the time of James II., £6 13s. 4d. The seals of the following Charters have been lost: Henry V. (1413); Henry VIII. (1511); Elizabeth, (1559, and 1584, Grammar School); Charles I. (1629 and 1635); Charles II. (1663 and 1684); James II. (1688); William and Mary (1693). The other seals are preserved, but some are so broken or worn as to be unidentifiable.

On page 48, line 6, will be found a reference to "Nowe Hythe." This means New Hethe, or New Hythe, in contradistinction to Old Hethe (now Old Heath). "Nowe" was written in the Charter of Edward IV. by a mistake of the scribe, and the error has been copied in subsequent Charters.

Necessarily, many of the words used in the translations are obsolete. I have added a Glossary giving brief explanations of some of these and other words.

W. GURNEY BENHAM.

10th February, 1904.

Glossary.

Afeered, or affeered	Confirmed, settled, assessed. Affeerours were persons appointed to settle the penalties of those who had committed faults arbitrarily punishable, no express penalty being established for them by statute.
Ambit	Circuit or circumference.
Amercement	A fine.
Assarts.....	Forest lands cleared of trees.
Attaint and Attainder	Process against a jury for having given a false verdict. This appears to be the meaning of " writs of attaint " and " writs of attainder " mentioned in the Charters. More usually the word " attaint " means the deprivation of inherited titles or property on account of treason or felony.
Banlieu	The limits of the town, including the liberties outside the walls.
Certificates, Pleas of	Pleas in actions under certificates issued by the Sheriff or other authorities.
Cheatings (p. 52)	Double-dealings. The Latin word is " ambidextris. " " Ambidexter " is Low Latin for a juror who has accepted bribes from both sides.
Corporal oath	Oath taken by a person with his hand on the corporas or coverlet of the Sacrament.
Collation (p. 71).....	Act of presentation and institution to a benefice. (Where a bishop is patron of a living, and confers the living, the presentation and institution are one and the same act, and are called a <i>collation</i> to a benefice).
Contempt... ..	Failure to carry out the orders of a court.
Danegeld.....	A land tax, originally imposed to defray the cost of warding off the attacks of the Danes.
Deodands.....	Chattels forfeited on account of having caused the death of a person.
Deraign	To prove in court ; to defend or contest an action.
Detinue	Form of action for recovering goods unlawfully detained, or damages for such detention.
Disseisin	Dispossession.
Duel.....	Wager of battle.

Escheators	Officers appointed in each County to enquire after and secure properties forfeited or reverting to the Crown.
Extortions	Undue seizure of goods.
Estrays	Tame animals found straying without an owner or keeper.
Eyre.....	A journey or circuit. "Justices in Eyre," judges on circuit; itinerant justices.
Fee farm	Tenure by which the town was held of the Crown for a fixed "farm" or rent.
Firm	Rent.
Forestallings	Buying goods before they are exhibited in the market.
Frankpledge	A surety to the sovereign for the good behaviour of freemen. View of frank-pledge, the court leet or free-burgesses' court.
Hanaper	The royal treasury, to which all moneys due to the Crown for sealing charters, patents, writs, &c., were paid.
Hostler, or Hostillar	Innkeeper.
Implead	To institute and prosecute a suit in Court.
Issues	Profits or returns.
Kiddel	A weir or fish-trap.
Lastage	Duty paid for freight or carriage, sometimes exacted in fairs or markets.
Liveries of badges, cloths, &c.	Lit. "Deliveries" of badges, cloths, &c. Allowances by barons or lords, or the liberty to wear certain badges or clothes, as members of a Corporation, or guild, or association.
Lot	A proportion of a tax.
Maintenancy	Supporting litigation in which one is not concerned.
Murage	Money paid for maintenance of walls.
Meskenning, or Miskenning.....	Wrongful citation. Interpreted in the Colchester "Oath Book" about 1375 as meaning "mesprise de parole ou de fait" (mistake of word or of fact).
Metes	Boundaries.
Ministers.....	Servants, officials.
Misprisions.....	High misdemeanours, neglects, negligences or oversights. All such high offences as are under the degree of capital but nearly bordering thereon.
Murder	Fine or tax imposed upon a community or district for murder committed within the limits of the same, or for the escape of a murderer.
Mort d'ancestor	Writ of assize for recovering possession of an estate of which a person has been deprived on the death of his ancestor.
Naam	Seizure, distraint. (Anglo-Saxon).

Passage	Money paid for passing over a bridge or ferry.
Pavage	Toll for passing over another's territory; also sometimes a tax for paving purposes.
Picage, or Piccage.....	Toll or payment at fairs for breaking ground for booths, pens, &c.
Piepowder, Court of.....	A court held on the occasion of fairs or markets for speedy settlement of commercial disputes arising in such fairs or markets. From "pied poudré"—dusty-foot.
Pontage	Tax for the maintenance of bridges.
Quinzaine	The fifteenth day (inclusive) after a feast-day.
Redisseisin	A writ to recover possession of lands or tenements against a person who has a second time dispossessed the claimant.
Reeves.....	Stewards, bailiffs.
Regraters	Buyers-up of corn or other articles before they reach the market.
Regratings	Acts of buying up corn and other articles before they reach the market.
Scot and lot	Parochial taxation. Payments according to the ability of the inhabitants for the service of the sheriff or of other bailiffs.
Seisin	Possession.
Socage (p. 73).....	Tenure by any certain and fixed service.
Stallage	Rent or toll paid for right of places or stalls in a market or fair.
Tronage	Toll or duty paid for weighing wool and other goods.
Valets	Yeomen; persons below the degree of knighthood.
Vill	Township.
Voluntary interpretation	Arbitrary interpretation.
Were	A fine paid by way of compensation or damages for homicide or personal injuries. A man's "were" was his price, varying according to his rank and condition.



Borough of



Colchester.

Charter of 1 Richard I.

6TH DECEMBER, 1189.

Richard, by the grace of God, King of England, Duke of Normandy and Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the aforesaid burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them.

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops; William de St. John; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the recital of such Charter contained in the original Charter of Richard II.]

Borough of



Colchester.

Charter of 37 Henry III.

29th NOVEMBER, 1252.

Henry, by the Grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitaine, Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men, greeting.

We have inspected the charter which Richard, formerly king of England, our uncle, made to our burgesses of Colchester in these words:—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitaine, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the aforesaid burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them.

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops ;
William de St. John ; John Marshal, William Marshal, Hugh Bard[olph],
Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of
Ely, at Dover, the sixth day of December, in the first year of our reign.

We, holding the aforesaid grant established and agreeable, do, for us and
our heirs, grant and confirm the same, as the aforesaid charter doth reasonably
witness.

We have also granted to our aforesaid burgesses of Colchester, and by this
our charter have confirmed, for us and our heirs, that they and their heirs may for
ever have the return of all our writs concerning all things pertaining to the liberty
of the aforesaid vill of Colchester

These being witnesses, John Mansell, Provost of Beverley, Master William
de Kilkenny Archdeacon of Coventry, Peter Chaceporc Archdeacon of Wells, Robert
de Mucegros, Robert Walerand, Bartholomew Pecche, Stephans Bauthan, Robert le
Norreys, Imbert Pugeys, John de Geres, and others.

Given by our hand at Clarendon the twenty ninth day of November in
the 37th year of our reign.

(Charter Roll 37 Henry III., m. 6.)

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

[NOTE.—The foregoing Charter was collated by MR. ISAAC H. JEAYES, of the British Museum,
with Henry III.'s Charter as recited in that of Edward III.]

Borough of



Colchester.

Charter of 12 Edward II.

4th FEBRUARY, 1319.

Edward, by the grace of God king of England, Lord of Ireland, and Duke of Aquitain, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men, greeting

We have inspected the Charter of Confirmation which the lord Henry, formerly king of England, our Grandfather, made to the burgesses of Colchester in these words :—

HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs, and faithful men, greeting

We have inspected the Charter which Richard formerly king of England, our uncle, made to our burgesses of Colchester in these words :—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the aforesaid burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops ; William de St. John ; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

We, holding the aforesaid grant established and agreeable, do, for us and our heirs, grant and confirm the same, as the aforesaid charter doth reasonably witness.

We have also granted to our aforesaid burgesses of Colchester, and by this our charter have confirmed, for us and our heirs, that they and their heirs may for ever have the return of all our writs concerning all things pertaining to the liberty of the aforesaid vill of Colchester

These being witnesses, John Mansell, Provost of Beverley, Master William de Kilkenny, Archdeacon of Coventry, Peter Chacepore, archdeacon of Wells, Robert de Mucegros, Robert Walerand, Bartholomew Pecche, Stephans Bauthan, Robert le Norreys, Imbert Pugeys, John de Geres, and others

Given by our hand at Clarendon the twenty ninth day of November in the 37th year of our reign.

Now, we, holding the grants and confirmations aforesaid established and agreeable, do, for us and our heirs, as much as in us doth lie, grant and confirm them to the burgesses of our borough aforesaid, and to their heirs and successors, burgesses of the same borough, as the charter aforesaid doth reasonably witness, the said clause in the charter of the aforesaid Richard the King contained, to wit :—
“ And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses to whom those debts are owing may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them ” wholly excepted.

Moreover, we, willing to show fuller grace to the same burgesses in this behalf, have granted to them, for us and our heirs, that although they or their predecessors, burgesses of that borough, may not up to now have fully used any of the liberties in the said charter contained and expressed, on any occasion arising, yet the same burgesses and their heirs and successors, burgesses of the same borough, may henceforth fully enjoy and use those liberties and each of them without impediment of us, or of our heirs, justices, escheators, sheriffs, or other our bailiffs or

ministers whomsoever, the clause aforesaid "*And if they will not pay the debts*" always excepted, as above it is expressed

Moreover, we have granted to the said burgesses, for us and our heirs, and by this our charter have confirmed, that they, and their heirs and successors, burgesses of the borough aforesaid, be for ever quit of murage, picage, and pavage, and of all their matters and merchandizes throughout our whole kingdom and dominion, and throughout all sea ports,

And that no one of the burgesses of the borough aforesaid may plead, nor be impleaded, without the said borough, concerning any pleas, assizes or plaints, nor of lands or tenures within the same borough, or the suburb of the same existing, nor of any trespasses or contracts within the borough aforesaid, or the liberty of the same borough made, and that as often as any assizes, juries or inquisitions shall require to be taken upon tenures within, or upon trespasses, contracts or felonies within the same borough or liberty of the same done, those assizes, juries and inquisitions may in no wise be carried out by foreigners, but by the burgesses of the same borough, unless that matter or that fact should touch us, our heirs or our ministers, or the commonalty of the said borough,

And that the aforesaid burgesses, and their heirs and successors may for ever have, in the borough aforesaid, one fair every year to last for eight days, to wit on the eve, and on the day of Saint Dennis, and for six days following, unless that fair should be to the damage of neighbouring fairs.

Wherefore we will and do firmly enjoin, for us and our heirs, that the aforesaid burgesses and their heirs and successors may have for ever the liberties before written in form aforesaid, the clause aforesaid, "*And if they will not pay the debts*" excepted; and that they may have the fair aforesaid in the borough aforesaid with all liberties and free customs to such fair pertaining, unless that fair be to the damage of the neighbouring fairs, as is aforesaid

These being witnesses, the venerable fathers J. Bishop of Ely, our chancellor, J. of Norwich, R. of Salisbury, bishops; John of Brittany, earl of Richmond, Henry of Lancaster, Hugh le Despenser the younger, William le Latymer, Roger Dammory, Bartholomew of Badelesmere, Steward of our household, and others,

Given by our hand at York the fourth day of February in the twelfth year of our reign

By a fine of forty pounds otherwise made.

(Charter Roll, 12 Edw II. No. 31.)

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the Charter recited in that of Edward III.]



Charter of 36 Edward III.

8TH JULY, 1364.

Edward, by the grace of God, King of England, Lord of Ireland, and Aquitaine, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men to whom the present letters shall come, Greeting.

We have inspected the charter of the lord Edward, late king of England, our father, in these words:—

EDWARD, by the grace of God king of England, Lord of Ireland, and Duke of Aquitain, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men, greeting

We have inspected the Charter of Confirmation which the lord Henry, formerly king of England, our Grandfather, made to the burgesses of Colchester in these words:—

HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitian, Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs, and faithful men, greeting

We have inspected the Charter which Richard formerly king of England, our uncle, made to our burgesses of Colchester in these words:—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force, or by delivery of the Marshal, be lodged,

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the aforesaid burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops; William de St. John; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

We, holding the aforesaid grant established and agreeable, do, for us and our heirs, grant and confirm the same, as the aforesaid charter doth reasonably witness.

We have also granted to our aforesaid burgesses of Colchester, and by this our charter have confirmed, for us and our heirs, that they and their heirs may for ever have the return of all our writs concerning all things pertaining to the liberty of the aforesaid vill of Colchester

These being witnesses, John Mansell, Provost of Beverley, Master William de Kilkenny, archdeacon of Coventry, Peter Chaceporc, archdeacon of Wells, Robert de Mucegros, Robert Walerand, Bartholomew Pecche, Stephans Bauthan, Robert le Norreys, Imbert Pugeys, John de Geres, and others

Given by our hand at Clarendon the twenty ninth day of November in the 37th year of our reign.

Now, we, holding the grants and confirmations aforesaid established and agreeable, do, for us and our heirs, as much as in us doth lie, grant and confirm them to the burgesses of our borough aforesaid, and to their heirs and successors, burgesses of the same borough, as the charter aforesaid doth reasonably witness, the said clause in the charter of the aforesaid Richard the King contained, to wit:—"And if they will not pay the debts, and will not

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

come to deraign at Colchester, our burgesses to whom those debts are owing may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them” wholly excepted.

Moreover, we, willing to show fuller grace to the same burgesses in this behalf, have granted to them, for us and our heirs, that although they or their predecessors, burgesses of that borough, may not up to now have fully used any of the liberties in the said charter contained and expressed, on any occasion arising, yet the same burgesses and their heirs and successors, burgesses of the same borough, may henceforth fully enjoy and use those liberties and each of them without impediment of us, or of our heirs, justices, escheators, sheriffs, or other our bailiffs or ministers whomsoever, the clause aforesaid “*And if they will not pay the debts*” always excepted, as above it is expressed

Moreover, we have granted to the said burgesses, for us and our heirs, and by this our charter have confirmed, that they, and their heirs and successors, burgesses of the borough aforesaid, be for ever quit of murage, picage, and pavage, and of all their matters and merchandizes throughout our whole kingdom and dominion, and throughout all sea ports

And that no one of the burgesses of the borough aforesaid may plead, nor be impleaded, without the said borough, concerning any pleas, assizes or complaints, nor of lands or tenures within the same borough, or the suburb of the same existing, nor of any trespasses or contracts within the borough aforesaid, or the liberty of the same borough made, and that as often as any assizes juries or inquisitions shall require to be taken upon tenures within, or upon trespasses, contracts or felonies within the same borough or liberty of the same done, those assizes, juries and inquisitions may in no wise be carried out by foreigners, but by the burgesses of the same borough, unless that matter or that fact should touch us, our heirs or our ministers, or the commonalty of the said borough

And that the aforesaid burgesses, and their heirs and successors may for ever have, in the borough aforesaid, one fair every year to last for eight days, to wit on the eve, and on the day of Saint Dennis, and for six days following, unless that fair should be to the damage of neighbouring fairs

Wherefore we will and do firmly enjoin, for us and our heirs, that the aforesaid burgesses and their heirs and successors may have for ever the liberties before written in form aforesaid, the clause aforesaid “*And if they*

will not pay the debts " excepted ; and that they may have the fair aforesaid in the borough aforesaid with all liberties and free customs to such fair pertaining, unless that fair be to the damage of the neighbouring fairs, as is aforesaid

These being witnesses, the venerable fathers J. Bishop of Ely, our Chancellor, J. of Norwich, R. of Salisbury, bishops ; John of Brittany earl of Richmond, Henry of Lancaster, Hugh le Despenser the younger, William le Latymer, Roger Dammory, Bartholomew of Badelesmere, Steward of our household, and others.

Given by our hand at York the fourth day of February in the twelfth year of our reign

By a fine of forty pounds otherwise made.

We therefore holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs, as much as in us lie, approve, accept, and by the tenor of these presents to the aforesaid burgesses, and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained to wit, "*And if they will not pay the debts and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted

These being witnesses, the venerable fathers W. bishop of Winchester our chancellor, S. bishop of Ely our Treasurer, Richard earl of Arundell, Ralph earl of Stafford, Guy de Brian, John atte Lee Steward of our household, and others.

Given by our hand at Westminster the eighth day of July, in the 36th year of our reign.

By a fine of sixty shillings.

(Charter Roll, 36 Edward III., No. 17.)

[NOTE.—The foregoing Charter was collated by MR. ISAAC H. JEAYES, of the British Museum, with the original Charter.]

Borough of



Colchester.

Charter of 1 Richard II.

27TH JANUARY, 1378.

Richard, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Charter of Confirmation of the Lord Edward, late King of England, our Grandfather, to our burgesses of Colchester, made in these words:—

EDWARD, by the grace of God, King of England, Lord of Ireland, and Aquitaine, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men to whom the present letters shall come, greeting.

We have inspected the charter of the lord Edward, late king of England, our father, in these words:—

EDWARD, by the grace of God king of England, Lord of Ireland, and Duke of Aquitain, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men, greeting

We have inspected the Charter of Confirmation which the lord Henry, formerly king of England, our Grandfather, made to the burgesses of Colchester in these words:—

HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs, and faithful men, greeting

We have inspected the Charter which Richard, formerly king of England, our uncle, made to our burgesses of Colchester in these words:—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots,

Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force, or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the afore-said burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll

or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops; William de St. John; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

We, holding the aforesaid grant established and agreeable, do, for us and our heirs, grant and confirm the same, as the aforesaid charter doth reasonably witness.

We have also granted to our aforesaid burgesses of Colchester, and by this our charter have confirmed, for us and our heirs, that they and their heirs may for ever have the return of all our writs concerning all things pertaining to the liberty of the aforesaid vill of Colchester

These being witnesses, John Mansell, Provost of Beverley, Master William de Kilkenny, archdeacon of Coventry, Peter Chaceporc, archdeacon

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

of Wells, Robert de Mucegros, Robert Walerand, Bartholomew Pecche, Stephans Bauthan, Robert le Norreys, Imbert Pugeys, John de Geres, and others

Given by our hand at Clarendon the twenty ninth day of November in the 37th year of our reign.

Now, we, holding the grants and confirmations aforesaid established and agreeable, do, for us and our heirs, as much as in us doth lie, grant and confirm them to the burgesses of our borough aforesaid, and to their heirs and successors, burgesses of the same borough, as the charter aforesaid doth reasonably witness, the said clause in the charter of the aforesaid Richard the King contained, to wit:—“*And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses to whom those debts are owing may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them*” wholly excepted.

Moreover, we, willing to show fuller grace to the same burgesses in this behalf, have granted to them, for us and our heirs, that although they or their predecessors, burgesses of that borough, may not up to now have fully used any of the liberties in the said charter contained and expressed, on any occasion arising, yet the same burgesses and their heirs and successors, burgesses of the same borough, may henceforth fully enjoy and use those liberties and each of them without impediment of us, or of our heirs, justices, escheators, sheriffs, or other our bailiffs or ministers whomsoever, the clause aforesaid “*And if they will not pay the debts*” always excepted, as above it is expressed

Moreover, we have granted to the said burgesses, for us and our heirs, and by this our charter have confirmed, that they, and their heirs and successors, burgesses of the borough aforesaid, be for ever quit of murage, picage, and pavage, and of all their matters and merchandizes throughout our whole kingdom and dominion, and throughout all sea ports

And that no one of the burgesses of the borough aforesaid may plead, nor be impleaded, without the said borough, concerning any pleas, assizes or complaints, nor of lands or tenures within the same borough, or the suburb of the same existing, nor of any trespasses or contracts within the borough aforesaid, or the liberty of the same borough made, and that as often as any assizes juries or inquisitions shall require to be taken upon tenures within, or upon trespasses, contracts or felonies within the same borough or liberty of the same done, those assizes, juries and inquisitions may in no wise be carried out

by foreigners, but by the burgesses of the same borough, unless that matter or that fact should touch us, our heirs or our ministers, or the commonalty of the said borough

And that the aforesaid burgesses, and their heirs and successors may for ever have, in the borough aforesaid, one fair every year to last for eight days, to wit on the eve, and on the day of Saint Dennis, and for six days following, unless that fair should be to the damage of neighbouring fairs

Wherefore we will and do firmly enjoin, for us and our heirs, that the aforesaid burgesses and their heirs and successors may have for ever the liberties before written in form aforesaid, the clause aforesaid "*And if they will not pay the debts*" excepted; and that they may have the fair aforesaid in the borough aforesaid with all liberties and free customs to such fair pertaining, unless that fair be to the damage of the neighbouring fairs, as is aforesaid

These being witnesses, the venerable fathers J. Bishop of Ely, our Chancellor, J. of Norwich, R. of Salisbury, bishops; John of Brittany earl of Richmond, Henry of Lancaster, Hugh le Despenser the younger, William le Latymer, Roger Dammory, Bartholomew of Badelesmere, Steward of our household, and others.

Given by our hand at York the fourth day of February in the twelfth year of our reign

By a fine of forty pounds otherwise made.

We therefore holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs, as much as in us lie, approve, accept, and by the tenor of these presents to the aforesaid burgesses, and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained to wit, "*And if they will not pay the debts and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted

These being witnesses, the venerable fathers W. bishop of Winchester our chancellor, S. bishop of Ely our Treasurer, Richard earl of Arundell, Ralph earl of Stafford, Guy de Brian, John atte Lee Steward of our household, and others.

Given by our hand at Westminster the eighth day of July, in the 36th year of our reign.

By a fine of sixty shillings.

We therefore, holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs as much as in us doth lie approve, accept, and by the tenor of these presents, to the aforesaid burgesses and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now, held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained, to wit:—
“ And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell, until they pay them those debts, or that they deraign at Colchester that they do not owe them ” wholly excepted.

In witness whereof we have made these our letters patent

Witness myself at Westminster the twenty seventh day of January, in the first year of our reigns.

By the King himself and Council, because they were burdened, together with the vills of Maldon, Manningtree, and Harwich, with the making of a war

“ Examined by Robert de Muskham and John de Buxton, clerk.”

(Patent Roll 1 Richard II., part 5, m. 6.)

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the original Charter.]

Borough of



Colchester.

Charter of 1 Henry IV.

15TH FEBRUARY, 1400.

Henry, by the grace of God, King of England and France and Lord of Ireland, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Reeves, Ministers and other his Bailiffs and faithful people to whom the present letters shall come, greeting.

We have inspected the charter of the Lord Richard, late King of England, the second after the conquest, made in these words:—

RICHARD, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Charter of Confirmation of the Lord Edward, late King of England, our Grandfather, to our burgesses of Colchester, made in these words:—

EDWARD, by the grace of God, King of England, Lord of Ireland, and Aquitaine, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men to whom the present letters shall come, greeting.

We have inspected the Charter of the lord Edward, late king of England, our father, in these words:—

EDWARD, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men, greeting

We have inspected the Charter of Confirmation which the lord Henry, formerly King of England, our Grandfather, made to the burgesses of Colchester in these words:—

HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitian, Earl of Anjou, to the Archbishops, Bishops,

Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs, and faithful men, greeting

We have inspected the Charter which Richard, formerly King of England, our uncle, made to our burgesses of Colchester in these words :—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitaine, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force, or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the aforesaid burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops; William de St. John; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

We, holding the aforesaid grant established and agreeable, do, for us and our heirs, grant and confirm the same, as the aforesaid charter doth reasonably witness.

We have also granted to our aforesaid burgesses of Colchester, and by this our charter have confirmed, for us and our heirs, that they and their

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

heirs may for ever have the return of all our writs concerning all things pertaining to the liberty of the aforesaid vill of Colchester

These being witnesses, John Mansell, Provost of Beverley, Master William de Kilkenny, Archdeacon of Coventry, Peter Chaceporc, archdeacon of Wells, Robert de Mucegros, Robert Walerand, Bartholomew Pecche, Stephans Bauthan, Robert le Norreys, Imbert Pugeys, John de Geres, and others

Given by our hand at Clarendon the twenty ninth day of November in the 37th year of our reign.

Now, we, holding the grants and confirmations aforesaid established and agreeable, do, for us and our heirs, as much as in us doth lie, grant and confirm them to the burgesses of our borough aforesaid, and to their heirs and successors, burgesses of the same borough, as the charter aforesaid doth reasonably witness, the said clause in the charter of the aforesaid Richard the King contained, to wit:—“*And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses to whom those debts are owing may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them*” wholly excepted

Moreover, we, willing to show fuller grace to the same burgesses in this behalf, have granted to them, for us and our heirs, that although they or their predecessors, burgesses of that borough, may not up to now have fully used any of the liberties in the said charter contained and expressed, on any occasion arising, yet the same burgesses and their heirs and successors, burgesses of the same borough, may henceforth fully enjoy and use those liberties and each of them without impediment of us, or of our heirs, justices, escheators, sheriffs, or other our bailiffs or ministers whomsoever, the clause aforesaid “*And if they will not pay the debts*” always excepted, as above it is expressed

Moreover, we have granted to the said burgesses, for us and our heirs, and by this our charter have confirmed, that they, and their heirs and successors, burgesses of the borough aforesaid, be for ever quit of murage, picage, and pavage, and of all their matters and merchandizes throughout our whole kingdom and dominion, and throughout all sea ports

And that no one of the burgesses of the borough aforesaid may plead, nor be impleaded, without the said borough, concerning any pleas, assizes or complaints, nor of lands or tenures within the same borough, or the suburb of the

same existing, nor of any trespasses or contracts within the borough aforesaid, or the liberty of the same borough made, and that as often as any assizes juries or inquisitions shall require to be taken upon tenures within, or upon trespasses, contracts or felonies within the same borough or liberty of the same done, those assizes, juries and inquisitions may in no wise be carried out by foreigners, but by the burgesses of the same borough, unless that matter or that fact should touch us, our heirs or our ministers, or the commonalty of the said borough

And that the aforesaid burgesses, and their heirs and successors may for ever have, in the borough aforesaid, one fair every year to last for eight days, to wit on the eve, and on the day of Saint Dennis, and for six days following, unless that fair should be to the damage of neighbouring fairs

Wherefore we will and do firmly enjoin, for us and our heirs, that the aforesaid burgesses and their heirs and successors may have for ever the liberties before written in form aforesaid, the clause aforesaid "*And if they will not pay the debts*" excepted; and that they may have the fair aforesaid in the borough aforesaid with all liberties and free customs to such fair pertaining, unless that fair be to the damage of the neighbouring fairs, as is aforesaid

These being witnesses, the venerable fathers J. Bishop of Ely, our Chancellor, J. of Norwich, R. of Salisbury, bishops; John of Brittany earl of Richmond, Henry of Lancaster, Hugh le Despenser the younger, William le Latymer, Roger Dammory, Bartholomew of Badelesmere, Steward of our household, and others.

Given by our hand at York the fourth day of February in the twelfth year of our reign

By a fine of forty pounds otherwise made.

We therefore holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs, as much as in us lie, approve, accept, and by the tenor of these presents to the aforesaid burgesses, and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained to wit, "*And if they will not pay the debts and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted

These being witnesses, the venerable fathers W. bishop of Winchester our chancellor, S. bishop of Ely our Treasurer, Richard earl of Arundell, Ralph earl of Stafford, Guy de Brian, John atte Lee Steward of our household, and others.

Given by our hand at Westminster the eighth day of July, in the 36th year of our reign.

By a fine of sixty shillings.

We therefore, holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs as much as in us doth lie approve, accept, and by the tenor of these presents, to the aforesaid burgesses and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now, held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained, to wit:—“ *And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell, until they pay them those debts, or that they deraign at Colchester that they do not owe them*” wholly excepted.

In witness whereof we have made these our letters patent

Witness myself at Westminster the twenty seventh day of January, in the first year of our reigns.

By the King himself and Council, because they were burdened, together with the vills of Maldon, Manningtree, and Harwich, with the making of a war

We, therefore, holding established and agreeable the gifts, grants, and confirmations aforesaid, do for us and our heirs, as much as in us doth lie, accept, approve, and do grant and confirm them to the aforesaid burgesses and their heirs and successors, burgesses of the borough aforesaid, as the charters and letters aforesaid do reasonably witness.

Moreover we, willing to do greater grace to the same burgesses, have granted for us and our heirs, as much as in us doth lie, to the aforesaid burgesses, that although they or their ancestors or their predecessors burgesses of the borough aforesaid shall not, up to now, on any occasion arising, have fully used any one or any of the liberties and acquittances in the charters and letters aforesaid contained,

nevertheless they and their heirs and successors burgesses of the borough aforesaid, may fully enjoy and use those liberties and acquittances, and each of them henceforth without let or hindrance of us or of our heirs, escheators, sheriffs or other bailiffs or ministers of us or our heirs whomsoever, the said clause in the charter of the aforesaid Richard the King, our progenitor contained, to wit “ *And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell, until they pay them those debts, or that they deraign at Colchester that they do not owe them* ” wholly excepted.

These being witnesses, the venerable fathers Thomas of Canterbury, Primate of all England, R. of York Primate of England, Archbishops, R. of London, J. of Ely, E. of Exeter, Bishops, Thomas of Warwick, Henry of Northumberland, Ralphe of Westmoreland, Earls; John de Scarle, our Chancellor; John de Norbury, our Treasurer; William Roos of Hamelak, William de Wilughby, John de Cobham, Thomas de Erpyngham, our Chamberlain; Thomas de Remston, Steward of our household; master Richard de Clifford, keeper of our Privy Seal; and others.

Given by our hand at Westminster the fifteenth day of February, in the first year of our reign.

By the King himself and for £10 paid in the hanaper.

“ Examined by John Rome and John Pygot, clerks.”

(Charter Roll 1 Henry IV. p. 2, No. 17.)

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the original Charter.]

Borough of



Colchester.

Charter of 1 Henry V.

7TH JULY, 1413.

Henry, by the grace of God, King of England and France and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Charter of our dearest Lord and father Henry, late King of England, made in these words:—

HENRY, by the grace of God, King of England and France and Lord to Ireland, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Reeves, Ministers and other his Bailiffs and faithful people to whom the present letters shall come, greeting.

We have inspected the charter of the Lord Richard, late King of England, the second after the conquest, made in these words:—

RICHARD, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Charter of Confirmation of the Lord Edward, late King of England, our Grandfather, to our burgesses of Colchester, made in these words:—

EDWARD, by the grace of God, King of England, Lord of Ireland, and Aquitaine, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men to whom the present letters shall come, greeting.

We have inspected the Charter of the lord Edward, late king of England, our father, in these words:—

EDWARD, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men, greeting

We have inspected the Charter of Confirmation which the lord Henry, formerly King of England, our Grandfather, made to the burgesses of Colchester in these words:—

HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitaine, Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs, and faithful men, greeting

We have inspected the Charter which Richard, formerly King of England, our uncle, made to our burgesses of Colchester in these words:—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitaine, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force, or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afeered by the oath of the aforesaid burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them

No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any *extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops; William de St. John; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

* The word here translated extraneous is "*adultero*" which might be rendered perhaps "*unauthorised*."

. We, holding the aforesaid grant established and agreeable, do, for us and our heirs, grant and confirm the same, as the aforesaid charter doth reasonably witness.

We have also granted to our aforesaid burgesses of Colchester, and by this our charter have confirmed, for us and our heirs, that they and their heirs may for ever have the return of all our writs concerning all things pertaining to the liberty of the aforesaid vill of Colchester

These being witnesses, John Mansell, Provost of Beverley, Master William de Kilkenny, Archdeacon of Coventry, Peter Chacepore, archdeacon of Wells, Robert de Mucegros, Robert Walerand, Bartholomew Pecche, Stephans Bauthan, Robert le Norreys, Imbert Pugeys, John de Geres, and others

Given by our hand at Clarendon the twenty ninth day of November in the 37th year of our reign.

Now, we, holding the grants and confirmations aforesaid established and agreeable, do, for us and our heirs, as much as in us doth lie, grant and confirm them to the burgesses of our borough aforesaid, and to their heirs and successors, burgesses of the same borough, as the charter aforesaid doth reasonably witness, the said clause in the charter of the aforesaid Richard the King contained, to wit:—“ *And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses to whom those debts are owing may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them* ” wholly excepted

Moreover, we, willing to show fuller grace to the same burgesses in this behalf, have granted to them, for us and our heirs, that although they or their predecessors, burgesses of that borough, may not up to now have fully used any of the liberties in the said charter contained and expressed, on any occasion arising, yet the same burgesses and their heirs and successors, burgesses of the same borough, may henceforth fully enjoy and use those liberties and each of them without impediment of us, or of our heirs, justices, escheators, sheriffs, or other our bailiffs or ministers whomsoever, the clause aforesaid “ *And if they will not pay the debts* ” always excepted, as above it is expressed

Moreover, we have granted to the said burgesses, for us and our heirs, and by this our charter have confirmed, that they, and their heirs and successors, burgesses of the borough aforesaid, be for ever quit of murage,

picage, and pavage, and of all their matters and merchandizes throughout our whole kingdom and dominion, and throughout all sea ports

And that no one of the burgesses of the borough aforesaid may plead, nor be impleaded, without the said borough, concerning any pleas, assizes or complaints, nor of lands or tenures within the same borough, or the suburb of the same existing, nor of any trespasses or contracts within the borough aforesaid, or the liberty of the same borough made, and that as often as any assizes juries or inquisitions shall require to be taken upon tenures within, or upon trespasses, contracts or felonies within the same borough or liberty of the same done, those assizes, juries and inquisitions may in no wise be carried out by foreigners, but by the burgesses of the same borough, unless that matter or that fact should touch us, our heirs or our ministers, or the commonalty of the said borough

And that the aforesaid burgesses, and their heirs and successors may for ever have, in the borough aforesaid, one fair every year to last for eight days, to wit on the eve, and on the day of Saint Dennis, and for six days following, unless that fair should be to the damage of neighbouring fairs

Wherefore we will and do firmly enjoin, for us and our heirs, that the aforesaid burgesses and their heirs and successors may have for ever the liberties before written in form aforesaid, the clause aforesaid "*And if they will not pay the debts*" excepted; and that they may have the fair aforesaid in the borough aforesaid with all liberties and free customs to such fair pertaining, unless that fair be to the damage of the neighbouring fairs, as is aforesaid

These being witnesses, the venerable fathers J. Bishop of Ely, our Chancellor, J. of Norwich, R. of Salisbury, bishops; John of Brittany earl of Richmond, Henry of Lancaster, Hugh le Despenser the younger, William le Latymer, Roger Dammory, Bartholomew of Badelesmere, Steward of our household, and others.

Given by our hand at York the fourth day of February in the twelfth year of our reign

By a fine of forty pounds otherwise made.

We therefore holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs, as much as in us lie, approve, accept, and by the tenor of these presents to the aforesaid burgesses, and to

their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained to wit, "*And if they will not pay the debts and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted

These being witnesses, the venerable fathers W. bishop of Winchester our chancellor, S. bishop of Ely our Treasurer, Richard earl of Arundell, Ralph earl of Stafford, Guy de Brian, John atte Lee Steward of our household, and others.

Given by our hand at Westminster the eighth day of July, in the 36th year of our reign.

We therefore, holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs as much as in us doth lie approve, accept, and by the tenor of these presents, to the aforesaid burgesses and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now, held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained, to wit:—" *And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell, until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted.

In witness whereof we have made these our letters patent

Witness myself at Westminster the twenty seventh day of January, in the first year of our reign.

We, therefore, holding established and agreeable the gifts, grants, and confirmations aforesaid, do for us and our heirs, as much as in us doth lie, accept, approve, and do grant and confirm them to the aforesaid burgesses and their heirs and successors, burgesses of the borough aforesaid, as the charters and letters aforesaid do reasonably witness.

Moreover we, willing to do greater grace to the same burgesses, have granted for us and our heirs, as much as in us doth lie, to the aforesaid burgesses, that although they or their ancestors or their predecessors burgesses of the borough aforesaid shall not, up to now, on any occasion arising, have fully used any one or any of the liberties and acquittances in the charters and letters aforesaid contained, nevertheless they and their heirs and successors burgesses of the borough aforesaid, may fully enjoy and use those liberties and acquittances, and each of them henceforth without let or hindrance of us or of our heirs, escheators, sheriffs or other bailiffs or ministers of us or our heirs whomsoever, the said clause in the charter of the aforesaid Richard the King, our progenitor contained, to wit "*And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell, until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted.

These being witnesses, the venerable fathers Thomas of Canterbury, Primate of all England, R. of York Primate of England, Archbishops, R. of London, J. of Ely, E. of Exeter, Bishops, Thomas of Warwick, Henry of Northumberland, Ralph of Westmoreland, Earls; John de Scarle, our Chancellor; John de Norbury, our Treasurer; William Roos of Hamelak, William de Wilughby, John de Cobham, Thomas de Erpyngham, our Chamberlain; Thomas de Remston, Steward of our household; master Richard de Clifford, keeper of our Privy Seal; and others.

Given by our hand at Westminster the fifteenth day of February, in the first year of our reign.

By the King himself and for £10 paid in the hanaper.

We therefore holding established and agreeable the grants and confirmations aforesaid and all other things in the Charters and Letters aforesaid contained do for us and our heirs, as much as in us doth lie, accept, approve, and to the now burgesses of the borough aforesaid and [† to their heirs and successors, burgesses] of that borough do grant and confirm them, as the Charters and Letters aforesaid do reasonably witness, and as they ought to use them, and they and their ancestors have reasonably been accustomed to use and enjoy the liberties and other things in the Charters and Letters aforesaid contained, from the time of the making of the same,

† The Charter at this point is defective owing to a burn or damp, so that the words within brackets do not appear.

the said clause, to wit: "*And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses to whom those debts are owing, may take naam of that county in which they, who owe those debts, do dwell, until they pay them those debts, or they deraign, at Colchester, that they do not owe them,*" wholly excepted.

And further, at the supplication of the now bailiffs, burgesses and commonalty of the borough aforesaid, of our fuller grace, and for the greater security of the same bailiffs, burgesses and commonalty, their heirs and successors, and for all manner of ambiguity and controversy which, upon the liberties and franchises aforesaid on account of divers obscure words in the charters and letters aforesaid contained, also on account of sinister intention and voluntary interpretation of the same, might in future be generated we have granted, for us and our heirs, as much as in us doth lie, to the aforesaid bailiffs, burgesses and commonalty that the same bailiffs, burgesses and commonalty and their heirs and successors may have cognizance of all manner of pleas concerning all lands, tenements, rents and services within the borough aforesaid, and the suburb and liberty of the same proceeding or happening, as well of pleas of assizes of novel disseisin and mort d'ancestor, redisseisins, certificates, assizes and attainments as of all other pleas real. And also of pleas of debt, trespass, covenant, detinue, account, and other pleas personal whatsoever, within the borough aforesaid, suburb, or liberty of the same proceeding or happening, in the Motehalle of the same borough before the bailiffs of that borough for the time being to be held, as well in the presence of us and of our heirs as in the absence of us and our heirs, also executions of the pleas aforesaid. And that the same bailiffs and their successors may have cognizance of all the pleas aforesaid, and that those pleas before whomsoever justices in any way whatsoever begun, may in our court in the Motehalle of the borough aforesaid, be prosecuted, terminated and executed before the aforesaid bailiffs and their successors.

In witness whereof we have caused these our letters to be made patent.

Witness myself at Westminster, the seventh day of July in the first year of our reign, by the King himself and for twenty four marks paid in the hanaper.

[NOTE.—The foregoing Charter was collated by MR. ISAAC H. JEAYES, of the British Museum, with the original Charter.]

Borough of



Colchester.

Charter of 25 Henry VI.

26TH MARCH, 1447.

Henry, by the grace of God, King of England and France and Lord of Ireland, to the Archbishops, Bishops, Abbots, Priors, Dukes, Marquesses, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful people, greeting.

Know ye that at the humble supplication of our beloved, the burgesses of our vill of Colchester, in the county of Essex, we have understood how, among other things granted to them, their heirs and successors by the charter of the Lord Richard formerly King of England, the first after the Conquest, our progenitor by us confirmed, it was granted to the same that they might appoint from amongst themselves whomsoever they would for bailiffs and justices to hold the pleas of the crown of our said progenitor, and to plead the same pleas within their borough. And that no other should be justice thereof, except him whom they should choose. And that they should not plead nor be impleaded concerning any plea without the walls of the same borough.

And how also, among other things granted to the burgesses of the borough aforesaid, by the charter of the Lord Edward, late King of England, our progenitor by us confirmed, it was granted to the same that whensoever any assizes, juries or inquisitions concerning tenures within themselves, or concerning trespasses, contracts or felonies done within the said borough, should arise to be done, those assizes, juries, and inquisitions should in no wise be done by foreigners, but by the burgesses of the same borough, unless that matter or that deed should touch the same our progenitor, or his heirs or ministers, or the commonalty of the same borough, as in the said charters and confirmation is more fully contained.

And also how, among other things granted to the bailiffs, burgesses, and commonalty of the said borough by the letters patent of our dearest lord and father deceased, it was granted to the same that they and their heirs and successors should have cognizance of all manner of pleas concerning all lands and tenements, rents and services within the borough aforesaid, and the suburbs and liberty of the same

issuing or happening, as well of assizes of novel disseisin and mort d'ancestor, of redisseisins, certificates, assizes and attainments, as of all other pleas real; and also of pleas of debt, trespass, covenant, detinue, account, and of other personal pleas whatsoever within the borough aforesaid, the suburbs or liberty of the same issuing or happening, in the Mothalle of the same borough before the bailiffs of that borough for the time being to be held, as well in the presence of our said father and of his heirs, as in the absence of him and of his heirs, also executions of the pleas aforesaid, as in the same letters patent and confirmation is more fully contained.

Which grants indeed, on account of the obscurity and difficulty of the words in the same contained, and for want of a full declaration of the intentions of our said father and progenitors to the aforesaid burgesses, according to their conceptions, in such form as the intentions of the same our father and progenitors did exist, do not at present stand validly.

We therefore, in consideration of the premises of our especial grace, have granted to the aforesaid burgesses, their heirs and successors, that the liberty, suburbs, and precinct of the aforesaid vill of Colchester, which indeed liberty, suburbs and precinct in the said charters or letters are not expressed, shall extend themselves within the same vill of Colchester, and through all the hamlets of Lexden, Milend, Grinsted, and Donylond to the same vill of Colchester adjacent, and from Northbrigge up to Westnesse, which hamlets, indeed, the aforesaid burgesses and their predecessors, burgesses of the said vill of Colchester as parcel of the liberty, suburbs, and precinct of the same vill of Colchester from time whereof the memory of man exists not, peaceably and without interruption have used and enjoyed.

We have granted also to the aforesaid burgesses that the bailiffs of the said vill of Colchester for the time being and their successors can and may hold before them in the Motehall of the same vill, all manner of pleas, and all manner of actions, real, personal and mixed, suits, complaints, and demands moved or to be moved within the said vill, or within the liberty, suburbs, or precincts of the same, as well of whatsoever lands, tenements, rents, services, and other possessions whatsoever within the same vill, or within the liberty, suburbs, or precinct of the same being, as of debt, detinue, account, covenants, and of all manner of contracts reaching the sum of forty shillings or under, or exceeding the same sum, and of all manner of trespasses by force and arms or otherwise perpetrated, also of all manner of offences and misdeeds touching no felony within the said vill or liberty, suburbs, or precinct of the same vill happening or in any wise arising unless they touch us our heirs, or the bailiffs of the said vill or the commonalty of the same; and that the same bailiffs and burgesses may have levy and receive by their own hands to their own use all manner of issues, forfeitures, and things to be forfeited, fines and amercements adjudged and

to be adjudged before them in all such pleas, actions, suits, complaints and demands within the said vill of Colchester or within the liberty, suburbs, or precinct of the same, happening or arising; and that the burgesses of the same vill may plead and be impleaded in the vill aforesaid, and not elsewhere, before the bailiffs aforesaid concerning all the pleas aforesaid.

We have granted also to the aforesaid burgesses, their heirs and successors, that they may yearly, at the time of election of the bailiffs of the aforesaid vill of Colchester of old accustomed elect four of the more honest men of the same vill to be, together with the bailiffs of that vill for the time being for one whole year from the time of such election, justices of our peace within the same vill and within the same liberty, suburbs, and precinct of the same vill; and that the said four men and bailiffs, five, four, three, and two of them be justices of the peace in the same vill, and in the liberty, suburbs, and precinct of the same vill, and that the same justices for the time being, five, four, three and two of them may have full correction, punishment, power, and authority of ascertaining, inquiring, hearing and determining all things and matters as well concerning whatsoever felonies, trespasses, misprisions and extortions, as concerning all other causes, complaints, and misdeeds whatsoever within the same vill and liberty, suburbs and precinct of the same vill henceforth in any way whatsoever arising or happening, as fully and entirely as the Justices of the peace, and the justices assigned and to be assigned to hear and determine felonies, trespasses and other misdeeds, also justices of weights, measures, huntsmen, servants, labourers and artificers in any county or place of our kingdom of England have.

And that no justice to keep our peace in our county of Essex or in any other county or place of our said kingdom except only the said four men and bailiffs, five, four, three, or two of them may have power to correct, enquire, hear and determine anything within the said vill of Colchester, or within the said liberty, suburbs, and precinct of the same vill done; and that the bailiffs and burgesses of the same vill and their successors, may for ever have all manner of fines, issues, forfeitures and amercements before the aforesaid justices of the peace within the said vill and within the aforesaid liberty, suburbs, or precinct of the same, and all manner such chattels of all manner of felons, fugitives, outlaws, condemned and men howsoever convicted, as within the same vill or within the aforesaid liberty, suburbs, or precinct of the same shall happen to be found, or all manner such chattels of felons-of-themselves within the same vill, or within the aforesaid liberty, suburbs, or precinct of the same, found.

And if any person shall commit any trespass for which he ought to lose life or limb, or shall fly, and refuse to stand to judgment, or shall commit any other trespass for which he ought to lose his chattels, wheresoever justice ought to be done

upon him, whether it be in the court of us or of our heirs, or in any other court, all such chattels so lost and forfeited, pertaining to us in this behalf, shall pertain to the aforesaid bailiffs and burgesses, and their successors for ever.

And that it shall be rightly lawful for the same bailiffs and burgesses and their successors to put themselves in seisin of the same chattels within the said vill, or within the aforesaid liberty, suburbs, or precinct of the same being, to the use and profit of the bailiffs and burgesses of the vill aforesaid to be kept in support and relief of the no small fee farm which they yearly bring to us, without disturbance or let of us or of our heirs, justices, escheators, sheriffs or other the bailiffs, or ministers of us or of our heirs whomsoever.

And that it shall not be lawful for the steward and marshal or clerk of the market of our household, or the admiral of us or of our heirs to enter into the said vill or into the liberty, suburbs or precinct of the same to exercise or execute anything pertaining to their offices concerning any matters within the same vill, liberty, suburbs or precinct of the same happening or arising.

And that the bailiffs of the same vill may have full power and authority to enquire concerning all things concerning the office of clerk of the market within the same vill, liberty, suburbs or precinct of the same happening or arising, other liberties, franchises, acquittances and immunities to the aforesaid burgesses or their predecessors by us or any of our progenitors formerly kings of England granted, and that concerning the true yearly value of all the premises or of any of the same according to the form of the statutes above thereof made, of which in these presents mention is not made notwithstanding.

These being witnesses, the venerable fathers J. Archbishop of Canterbury, Primate of all England our Chancellor, M. of Carlisle our Treasurer of England, W. of Salisbury, and A. of Chichester, Keeper of our Privy Seal, bishops; our dearest cousins Richard of York and Humphrey of Buckingham, dukes; and our dearest cousins Edmund of Dorset, and William of Suffolk, marquesses; also our dearest cousins Richard of Salisbury and Henry of Northumberland, earls; also our beloved and faithful Ralph Botiller, steward of our household, and James Fenys chamberlain of our household, knights and others.

Given by our hand at Westminster the twenty-sixth day of March, in the 25th year of our reign.

By writ of privy seal, and of the date aforesaid by authority of parliament.

(Charter Roll 25 and 26 Henry VI. No. 24.)

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the Charter as recited in the original Charter of 18th June, 5 Charles I.]

Borough of



Colchester.

Charter of 1 Edward IV.

1ST MARCH, 1462.

Edward, by the grace of God, King of England and France, Lord of Ireland, to his Archbishops, Bishops, &c., greeting. We have inspected the letters patent of Lord Richard the Second, after the conquest, late King of England, of confirmation, made in these words

RICHARD, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Charter of Confirmation of the Lord Edward, late King of England, our Grandfather, to our burgesses of Colchester, made in these words:—

EDWARD, by the grace of God, King of England, Lord of Ireland, and Aquitaine, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful men to whom the present letters shall come, greeting.

We have inspected the Charter of the lord Edward, late king of England, our father, in these words:—

EDWARD, by the grace of God, king of England, Lord of Ireland, and Duke of Aquitain, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs and faithful greeting

We have inspected the Charter of Confirmation which the lord Henry, formerly king of England, our Grandfather, made to the burgesses of Colchester in these words:—

HENRY, by the grace of God, King of England, Lord of Ireland, Duke of Normandy, Aquitain, Earl of Anjou, to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Sheriffs, Provosts, Ministers, and all his Bailiffs, and faithful men, greeting

We have inspected the Charter which Richard, formerly king of England, our uncle, made to our burgesses of Colchester in these words:—

RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitaine, Earl of Anjou, to the Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Stewards, Provosts, and all his Bailiffs and faithful subjects of his whole land within the sea and beyond, greeting

Know ye, that we have granted, and by this our present charter have confirmed to our burgesses of Colchester, that they may appoint from amongst themselves whomsoever they will for Bailiffs and a Justice to hold the pleas of our crown, and to plead the same pleas within their borough

And that no other may be justice thereof, except him whom they shall have chosen

And that they may not plead concerning any plea without the walls of the same borough

And that they may be quit of scot, and of lot, and of Danegeld, and of murder

And wheresoever they shall be summoned before our justices errant, it is allowed to acquit them by four lawful men of the same borough, and that no one of them may wage duel

And if any one of them shall be impleaded of a plea of our Crown, by an oath which shall be administered to him in the Borough, he may deraign himself

And within the walls of the borough, no one of our family, nor of any other, shall, by force, or by delivery of the Marshal, be lodged

And that they may be quit throughout the whole of England, and through the sea ports, of toll, and lastage, of passage, of pontage, and of all other customs, at all times, and in all places

And no one of the burgesses may be judged in an amercement of money, except at his were, to wit, one hundred shillings in his hundred, or in any other plea within the walls of the borough

And of that amercement he may be afered by the oath of the afore-said burgesses, and further that there may not be meskenning

And we will that they have all their lands, and debts, and recognizances, whosoever may owe them

And if any one shall take toll or custom from them, the same burgesses may take of the city, or of the borough, or of the vill in which the toll or custom shall have been taken, as much as a burgess of the said borough did give for toll, or according to the damage he had suffered thereby

And we enjoin that they, who owe them debts, shall well and fully pay them, or shall deraign at Colchester that they ought not to pay

And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they, who owe those debts, dwell, until they pay them those debts, or that they deraign, at Colchester, that they do not owe them

- No forester may have power to harass (*vexare*) any man within the banlieu, but all the aforesaid our burgesses may hunt, within the banlieu of Colchester, the fox, and the hare, and the cat, and they may have their fishery from North Bridge up to Westnesse, and from North Bridge up to Westnesse, whosoever may possess the adjacent lands, our said burgesses may have the customs of the water and bank on both sides, for the performance of our firm as they had in the time of the lord the king our father, and in the time of H.[enry] his grandfather

And we forbid that the market of Colchester may be impeded by any extraneous market, but that the markets and customs shall remain in such state as they were confirmed by the oath of our burgesses of Colchester before the justices errant of the lord the king our father

Witness H. of Durham, H. of Coventry, H. of Salisbury, Bishops; William de St. John; John Marshal, William Marshal, Hugh Bard[olph], Geoffrey Fitz Piers.

Given by the hand of William de Longchamp, our Chancellor, elect of Ely, at Dover, the sixth day of December, in the first year of our reign.

We, holding the aforesaid grant established and agreeable, do, for us and our heirs, grant and confirm the same, as the aforesaid charter doth reasonably witness.

We have also granted to our aforesaid burgesses of Colchester, and by this our charter have confirmed, for us and our heirs, that they and their

heirs may for ever have the return of all our writs concerning all things pertaining to the liberty of the aforesaid vill of Colchester.

These being witnesses, John Mansell, Provost of Beverley, Master William de Kilkenny, Archdeacon of Coventry, Peter Chaceporc, archdeacon of Wells, Robert de Mucegros, Robert Walerand, Bartholomew Pecche Stephans Bauthan, Robert le Norreys, Imbert Pugeys, John de Geres, and others

Given by our hand at Clarendon the twenty-ninth day of November in the 37th year of our reign.

Now, we, holding the grants and confirmations aforesaid established and agreeable, do, for us and our heirs, as much as in us doth lie, grant and confirm them to the burgesses of our borough aforesaid, and to their heirs and successors, burgesses of the same borough, as the charter aforesaid doth reasonably witness, the said clause in the charter of the aforesaid Richard the King contained, to wit:—“ *And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses to whom those debts are owing may take naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them* ” wholly excepted

Moreover, we, willing to show fuller grace to the same burgesses in this behalf, have granted to them, for us and our heirs, that although they or their predecessors, burgesses of that borough, may not up to now have fully used any of the liberties in the said charter contained and expressed, on any occasion arising, yet the same burgesses and their heirs and successors, burgesses of the same borough, may henceforth fully enjoy and use those liberties and each of them without impediment of us, or of our heirs, justices, escheators, sheriffs, or other our bailiffs or ministers whomsoever, the clause aforesaid “ *And if they will not pay the debts* ” always excepted, as above it is expressed

Moreover, we have granted to the said burgesses, for us and our heirs, and by this our charter have confirmed, that they, and their heirs and successors, burgesses of the borough aforesaid, be for ever quit of murage, picage, and pavage, and of all their matters and merchandizes throughout our whole kingdom and dominion, and throughout all sea ports.

And that no one of the burgesses of the borough aforesaid may plead, nor be impleaded, without the said borough, concerning any pleas, assizes or

plaints, nor of lands or tenures within the same borough, or the suburb of the same existing, nor of any trespasses or contracts within the borough aforesaid, or the liberty of the same borough made, and that as often as any assizes, juries, or inquisitions shall require to be taken upon tenures within, or upon trespasses, contracts or felonies within the same borough or liberty of the same done, those assizes, juries and inquisitions may in no wise be carried out by foreigners, but by the burgesses of the same borough, unless that matter or that fact should touch us, our heirs or our ministers, or the commonalty of the said borough

And that the aforesaid burgesses, and their heirs and successors may for ever have, in the borough aforesaid, one fair every year to last for eight days, to wit on the eve, and on the day of Saint Dennis, and for six days following, unless that fair should be to the damage of neighbouring fairs

Wherefore we will and do firmly enjoin, for us and our heirs, that the aforesaid burgesses and their heirs and successors may have for ever the liberties before written in form aforesaid, the clause aforesaid "*And if they will not pay the debts*" excepted; and that they may have the fair aforesaid in the borough aforesaid with all liberties and free customs to such fair pertaining, unless that fair be to the damage of the neighbouring fairs, as is aforesaid

These being witnesses, the venerable fathers J. Bishop of Ely, our Chancellor, J. of Norwich, R. of Salisbury, bishops; John of Brittany earl of Richmond, Henry of Lancaster, Hugh le Despenser the younger, William le Latymer, Roger Dammory, Bartholomew of Badelesmere, Steward of our household, and others.

Given by our hand at York the fourth day of February in the twelfth year of our reign

We therefore holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs, as much as in us lie, approve, accept, and by the tenor of these presents to the aforesaid burgesses, and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained to wit, "*And if they will not pay the debts and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take*

naam of that county in which they who owe those debts dwell until they pay them those debts, or that they deraign at Colchester that they do not owe them" wholly excepted

These being witnesses, the venerable fathers W. bishop of Winchester our chancellor, S. bishop of Ely our Treasurer, Richard earl of Arundell, Ralph earl of Stafford, Guy de Brian, John atte Lee Steward of our household, and others.

Given by our hand at Westminster the eighth day of July, in the 36th year of our reign.

We therefore, holding the grants and confirmations aforesaid established and agreeable, do for us and our heirs as much as in us doth lie approve, accept, and by the tenor of these presents, to the aforesaid burgesses and to their heirs and successors, burgesses of the borough aforesaid, do confirm them, as the charter aforesaid doth reasonably witness, and as they have, up to now, held the vill aforesaid, and have been accustomed to use and enjoy reasonably the liberties aforesaid, the said clause in the charter of the aforesaid Richard the King contained, to wit:—" *And if they will not pay the debts, and will not come to deraign at Colchester, our burgesses, to whom those debts are owing, may take naam of that county in which they who owe those debts dwell, until they pay them those debts, or that they deraign at Colchester that they do not owe them*" wholly excepted.

In witness whereof we have made these our letters patent

Witness myself at Westminster the twenty seventh day of January, in the first year of our reign.

AND WHEREAS our beloved the now bailiffs and burgesses of the borough aforesaid have insinuated to us with instance that although they and their predecessors, burgesses of the borough aforesaid, have had and held from the time whereof the memory of man is not to the contrary, all the suburbs of that borough and all the hamlets of Lexden, Milend, Grenstede, and Donylond adjoining to the same borough, and the whole water or river from the Northbrigge of the same borough unto Westnesse, together with the banks on each side of the water aforesaid within the liberty and precinct of the borough aforesaid, and the same now bailiffs and burgesses have and hold the same at the present time, and have had and held all and singular the liberties franchises and acquittances granted by the Charters and liberties aforesaid from the time of making the same Charters and confirmation within the borough, suburbs, liberty and precinct aforesaid, and have freely, peaceably,

and quietly used and enjoyed the same, yet the same now bailiffs and burgesses are fearful that they hereafter may be aggrieved, disturbed, molested, or disquieted in respect of the possession of the liberty and precinct aforesaid in the hamlets, water and banks aforesaid, and in respect of the liberties, franchises, and acquittances aforesaid, or in any of them on account of and by reason of ambiguity, doubt, obscurity, and difficulty of certain general words and terms contained in the Charters and Letters aforesaid, and for want of full exposition, declaration, and explanation of the same words and terms especially because that how far the liberty of the borough aforesaid doth extend or ought to extend is not expressed in the Charters and Letters aforesaid, WHEREFORE they have humbly supplicated us that we would vouchsafe to bestow on them in this behalf our favor. We considering the borough aforesaid to be one of the most ancient boroughs of our realm of England being situate near the sea coast for resistance of our enemies desirous to invade the said realm, and also the fidelity and laudable services of the burgesses of that borough with which they have hitherto willingly, in all things, displayed themselves to us and our progenitors of celebrated record and memory, late Kings of England, and especially now lately, are ready to do to us at the charges, expence, cost, labor and danger of the now bailiffs and burgesses not a little to their merit, contemplating and hoping that in proportion as the said now bailiffs and burgesses of the borough aforesaid and their heirs and successors shall of our grant enjoy, and be fortified by more ample liberties and privileges, by so much the more strongly and effectually hereafter we believe they will be bound to perform the like hereafter and more prone according to their power to display themselves to us and our heirs: Of our special grace and of our certain knowledge and mere motion having ratified and approved the Charters, Letters, grants, and confirmations aforesaid, and all and singular contained in the same and the estate, title and possession which the aforesaid now bailiffs and burgesses have and hold in the liberty and precinct of and in the hamlets, water, river, and banks aforesaid for us and our heirs as much as in us is, we do accept, approve, and ratify the same and grant and confirm the same to the aforesaid now bailiffs and burgesses of the borough aforesaid, their heirs and successors, the said clause contained in the Charter of the aforesaid King Richard; *“and if they are unwilling to pay their debts and come not to prove the same at Colchester, our burgesses, to whom such debts are owing, may take a distress from that county in which those who owe the debts shall dwell until such debts be paid or they prove at Colchester they do not owe the same”* wholly excepted. ALSO WE HAVE GRANTED and by the tenor of these presents do grant for us and our heirs to the aforesaid now bailiffs and burgesses that, although they or their predecessors shall have not heretofore fully used the liberties, franchises, and acquittances aforesaid or any of them in any case arising or shall have altogether abused them or any of them, nevertheless the now bailiffs and burgesses, also their heirs and successors, from henceforth may fully

enjoy and use the liberties, franchises, and acquittances aforesaid and every of them by viture of these presents without let or hindrance of us or our heirs or of the Justices, Escheators, Sheriffs, or other Bailiffs, or Ministers of us or of our heirs whomsoever, AND FURTHER of our grace aforesaid and of our certain knowledge and mere motion, we have granted, and by the tenor of these presents for us and our heirs aforesaid do grant to the aforesaid bailiffs and burgesses that they and their successors, burgesses of the borough aforesaid shall from henceforth for ever be one perpetual body of two bailiffs and one commonalty and a perpetual commonalty in deed and name, and shall have perpetual succession, and that the same bailiffs and commonalty and their successors shall be called for ever the bailiffs and commonalty of the Borough of Colchester, and by the same name shall be persons able in law and capable to purchase lands, tenements, rents, and other possessions whatsoever, to have and to hold to them and their successors for ever, and that the same bailiffs and commonalty and their successors by the same name shall be able to plead and be impleaded to answer and be answered and prosecute and be defended in all pleas, suits, plaints, and demands moved and to be moved in whatsoever Courts of us and of our heirs and of any others whomsoever, and that the same bailiffs and commonalty and their successors shall have and hold all and singular the liberties, franchises, and acquittances and other things whatsoever contained and above specified in the charters and letters aforesaid, and shall enjoy and use the same in the manner and form in which the bailiffs and burgesses or burgesses of the borough aforesaid have had and held and used and enjoyed the same theretofore; and that they should have a common seal for ever to serve for the businesses of the borough aforesaid. AND FURTHER to take away and remove the aforesaid ambiguity, doubt, obscurity, and difficulty of our grace aforesaid and of our certain knowledge and motion aforesaid, and that the same bailiffs and commonalty may more quietly, abundantly, and peaceably have and hold the hamlets and water or river aforesaid with the banks aforesaid, and may use and enjoy them, we do explain, declare, and grant, and by the tenor of these presents for us and our heirs, as much as in us is, do grant to the aforesaid bailiffs and commonalty the aforesaid hamlets of Lexden, Milend, Grynsted, and Donylond, and the water and river from the Northbrigge of the borough aforesaid unto Westnesse, together with the banks on both sides of the same water, and all places called the creeks to the same water within the precinct aforesaid, adjoining and belonging, and also the suburbs of the borough aforesaid, TO HAVE AND TO HOLD the hamlets, water, river, and suburbs aforesaid, together with the banks and places aforesaid to the aforesaid bailiffs and commonalty and their successors as the precinct and parcel of the liberty of the borough aforesaid for ever, so that no one of whatsoever grade or condition he be without the license and will of the aforesaid bailiffs and commonalty and their successors shall make, construct or place wharfs or cranes upon the banks of the water aforesaid, or of the places

aforesaid, or weirs or kiddels or other engines whatsoever there to take fish in that water or in the other places aforesaid, or to fish or take fish in the same water or other places aforesaid, or shall in any way presume to sell or buy any merchandizes coming by that water in ships or other vessels (victuals at their own expence when desirous to purchase such victuals for their household only excepted) within the water aforesaid, except at the Nowe Hethe of the Borough aforesaid, of the under under penalty of forfeiture of all and singular, the merchandizes to the contrary bought and sold and of the ships vessels and boats in which such merchandizes shall happen so to be bought and sold. AND FURTHER of our grace aforesaid and of our knowledge and motion aforesaid, we have granted and by the tenor of these presents for us and our heirs aforesaid do grant to the aforesaid bailiffs and commonalty and their successors for ever that the bailiffs of the borough aforesaid for the time being shall have returns of all and singular our writs and precepts and of our heirs as well of assize, of mort d'ancestor, certifications of last presentations and attainder as of other writs and precepts in any way concerning us or our heirs or other persons whomsoever, and the execution thereof as well at our suit or of our heirs as at the suit of any other person to be prosecuted, in any way to be made within the borough, liberty, and precinct aforesaid so that no Sheriff, Coroner except the Coroners of us and of our heirs within the borough, liberty, and precinct aforesaid elected and ordained or to be elected and ordained by the bailiffs and commonalty of the same borough, nor any bailiff or other minister of us or of our heirs whatever shall enter the borough, liberty, and precinct aforesaid to execute any writs, mandates, or precepts although they touch our person or our heirs or any other persons or things there whatsoever in any manner, but that they be executed there by the bailiffs or coroners or other ministers of the Borough aforesaid for the time being, and that the same bailiffs of the borough aforesaid for the time being shall have from henceforth for ever cognizances of all pleas as well real as personal and mixed, or of any other pleas whatsoever of lands and tenements within the borough liberty and precinct aforesaid, and also of pleas of assizes, of novel disseizin mort d'ancestor redisseisin attainders and certifications as well as of pleas of debt, covenant, detinue, accompt, trespass, and of any other pleas whatsoever arising and to arise, moving and to be moved within the borough liberty and precinct aforesaid, in any of our courts whatsoever to wit before us and our heirs and before us in our Chancery and our heirs in their Chancery, and before the Treasurer and Barons of the Exchequer of us and of our heirs, the Justices of the common bench of us and of our heirs, and the Justices of us and of our heirs assigned to take any assizes, juries, and certificates whatsoever, and any other our Justices and officers whatsoever, and that the bailiffs of the borough aforesaid for the time being may hold and determine all pleas of the same before them in the Moothall of the borough aforesaid and duly execute the services to be rendered thereof and that the bailiffs for the time being

of the Borough aforesaid may have and hold the Court of us and of our heirs in the Moot Hall aforesaid before the same Bailiffs on Monday and Thursday in every week, and that the same Bailiffs and their successors may hold, all pleas of the same, to wit, pleas personal in the Court aforesaid, by complaints raised and affirmed before the same Bailiffs in the said Court and to cause the persons against whom such complaints shall happen to be prosecuted or moved in the said Court to be arrested and attached by legal process by their bodies and their goods and chattels within the Borough liberty and precinct aforesaid, and their bodies to be committed to prison and to hold all other pleas of land and tenements in the Court aforesaid on Monday from fortnight to fortnight and to hear and determine all the pleas aforesaid and the pleas of our Court of pie powder, there and to give the judgments thereon and to cause executions thereof to be done for ever in the same manner form and process as they have been accustomed to be heard determined and prosecuted in the same Borough before this time. AND MOREOVER we will and by these presents grant for us and our heirs aforesaid to the aforesaid Bailiffs and Commonalty and their successors that the Bailiffs and Aldermen for the time being of the Borough aforesaid, and sixteen Burgesses to be elected by the same Bailiffs and Aldermen in the manner there accustomed together with other sixteen persons of the more honest and discreet Burgesses of the Borough aforesaid to wit four from each ward of the same Borough to be chosen and nominated by the aforesaid Bailiffs, Aldermen and sixteen Burgesses from henceforth for ever shall be, and be called the Common Council of the same Borough and by the same Council so elected and called, they may draw up and make reasonable ordinances and Constitutions from time to time for the public good of the Borough aforesaid and for the private good of all meeting there, as well as for the sound and wholesome government of the same and may use and enjoy the same and put the same into execution within the Borough liberty and precinct aforesaid, and to alter and revoke them and each of them as it may seem expedient to them and to assess reasonable taxes upon the goods of all men living within the Borough liberty and precinct aforesaid of each according to his ability as well upon his rents as upon his mystery and merchandizes or otherwise as it shall seem more fit to be done, and to levy the same or cause them to be levied by reasonable distrains, and may arrest the persons refusing to pay the same taxes, if necessary, and commit them to prison and lawfully and with impunity cause them to be kept there for ever until they shall be willing to pay the same and without any obstruction of us or of our heirs, the Justices or other officers or ministers of us or of our heirs, whatsoever, and that the Bailiffs for the time being of the Borough aforesaid shall make and have for ever as well in the presence of us and of our heirs as in the absence of us and of our heirs the assize, the assay, amending and correcting of bread, wine, and beer, and of all other kinds of victuals, and of measures and of weights and of any other things whatsoever belonging or pertaining to the Office of Clerk of the Market of the Household of us and of our heirs within the Borough liberty

and precinct aforesaid and to do and exercise all and everything which belongs to the office of such Clerk of the Market, as often and when it shall be needful and necessary as fully and entirely as any Clerk of the Market of the household of us, and of our heirs, might do and have or ought to do, and have if this our present grant had not been made so that no Clerk of the Market of the household of us or of our heirs, nor the Admiral of England of us or of our heirs or his Lieutenants, Commissioners, Officers or Deputies, nor the Steward or Marshal of the Household of us or of our heirs or their servants or any of them shall in any way enter the Borough liberty and precinct aforesaid from henceforth by land or by water to execute, do, or exercise anything which pertains to his Office there or that might pertain thereto but it shall be lawful to the aforesaid Bailiffs and Commonalty for the time being of the Borough aforesaid to resist any such Clerk of the Market and Admiral and his Lieutenant Comissioner Officer and Deputy and the Steward and Marshal of the Household of us and of our heirs and their servants and each of them wishing to do, execute or exercise anything which pertains to his Office within the Borough liberty and precinct aforesaid by water or by land, and in nowise permit him or them there to do or in any way exercise such his office without impeachment of us or of our heirs or of any others whatsoever AND FURTHER of our Grace aforesaid and of our knowledge and motion aforesaid we have granted for us and our heirs aforesaid to the aforesaid Bailiffs and Commonalty and their successors that the Bailiffs for the time being of the Borough aforesaid and someone learned in the Law and four Burgesses of the same Borough in the same day, manner, and form in which the Bailiffs of the same Borough are elected and named be elected and named conjointly and separately from henceforth for ever keepers of the peace of us and of our heirs and * * * * have power and authority to keep and cause to be kept the peace of us and of our heirs as well as the statutes and ordinances made at Winchester, Northampton and Westminster for the preservation of the same peace and the statutes and ordinances made there and at Cambridge concerning hunters, workmen, artificers, servants, hostlers, beggars and vagabonds, and other begging men, who call themselves travelling men, and in like manner the statutes and ordinances made at Westminster in the 1st and 2nd years of the reign of Henry the IV. late *de facto* and not *de jure* King of England concerning the not giving of liveries of badges of societies to knights, esquires, or valets and other liveries of cloths, nor in anywise using the same liveries, and also a certain statute issued against the Lollards in the Parliament of Henry the fifth, late *de facto et non de jure*, King of England, at Leicester as well as a certain other statute similarly issued in the Parliament of the same Henry the fifth held at Westminster concerning counterfeiting, clipping, washing, and other falsifying of the money of our land, as well as all other ordinances and statutes made and to be made for the good of the peace of us and of our heirs and the quiet rule and government of the people of us and of our heirs, to be kept and cause to be kept in all and

singular their articles within the Borough liberty and precinct aforesaid according to the force, form, and effect of the same, and to chastise and punish all those whom they may find offending against the form of the ordinances and statutes aforesaid as ought to be done according to the form of those ordinances and statutes and to cause to come before them by due form of law, all those who should threaten any of the people of us or of our heirs concerning their bodies or the burning of their houses that they might find sufficient security for the peace and for their good behaviour towards us and the people of us and of our heirs and if they shall refuse to find such security then to cause them to be safely kept in the prison of us and of our heirs of the Borough aforesaid until they shall find such security. AND FURTHER that they six, five, four, three, and two of them from this time for ever shall be justices of us and of our heirs to enquire by the Oath of just and lawful men of the Borough liberty and precinct aforesaid, by whom the truth of the matter might be better known of all manner of felonies, trespasses, forestallings, regratings, and extortions within the Borough liberty and precinct aforesaid by whomsoever and in what manner soever done or perpetrated and which from this time shall happen to be done there and also of all other and singular within the Borough liberty and precinct aforesaid in what manner soever done, attempted or perpetrated, and which from this time shall happen to be done, attempted, or perpetrated there whereof it ought and is accustomed, and shall have to be enquired by the keepers of the peace of us and of our heirs and the Justices of us and of our heirs assigned and to be assigned to enquire of such felonies, trespasses and mis-deeds in any County of our Kingdom of England by virtue of the ordinances and statutes aforesaid, or of any other ordinances and statutes before this time made and to be made according to the force and effect of the letters of us and of our heirs thence made and to be made to them and to all and singular the premises and other things whatsoever within the Borough liberty and precinct aforesaid, done, attempted or perpetrated or from this time to be done, attempted or perpetrated which by such keepers of the peace of us and of our heirs and the Justices of us and of our heirs assigned and to be assigned to hear and determine such felonies, trespasses and misdeeds in any County aforesaid by virtue of the ordinances and statutes aforesaid and of our letters aforesaid ought and are accustomed to be discussed and determined and by the same Bailiffs the one learned in the Law, and the four Burgesses so to be elected and nominated, the six, five, four, three, and two of them, of whom the said one learned in the Law we wish to be one, will have to be heard and determined according to the law and custom of our Kingdom of England and the form of the ordinances and statutes aforesaid so that all writs, precepts and other warrants to be made for the premises and for each of the premises shall be directed to the Ministers of the Borough aforesaid, and be by the same executed without any writ, precept, or warrant thereof being in any way directed to the Sheriff or Coroners of the County of Essex, so also that the keepers of the peace of us and of our heirs assigned and to

be assigned to hear and determine such felonies, trespasses, and misdeeds in the County of Essex done or perpetrated or to be done or perpetrated, do not enter nor any one of them do enter into the Borough liberty and precinct aforesaid to do anything which pertains to such keeper of the peace or Justice, nor intrude in anything, nor any of them intrude in any way. MOREOVER we will and of our grace aforesaid and of our knowledge and motion aforesaid we have granted for us and our heirs aforesaid to the aforesaid Bailiffs and Commonalty and their Successors that in support of the payment of the Fee Farm aforesaid they shall have all and all manner of fines, issues, redemptions, amercements, things lost, forfeits, as well before the aforesaid Bailiffs in our Court aforesaid as before the aforesaid keepers of the Peace of us and of our heirs and the Justices of us and of our heirs to hear and determine felonies, trespasses, and offences aforesaid within the Borough liberty and precinct aforesaid in any way whatsoever forfeited and to be forfeited and of all manner of fines, issues, redemptions, amercements, things lost, and forfeits of all and singular persons for tresspasses, oppressions, extortions, deceptions, conspiracies, contempts, concealments, regratings, forestallings, maintenancies, cheatings, misprisions, and other falsities, and faults whatsoever in any Court of us, and of our heirs, and before any Justices of us and of our heirs, forfeited and to be forfeited, as well all goods and chattels of all and singular persons outlaws and waived and to be outlawed and waived for treason, felony, contempt, trespass, debt, accompt or other action whatsoever at the suit of us or of our heirs, or of any other persons whatsoever, and also all goods and chattels of all and singular felons *de seipsis* and of any other felons, fugitives, and condemned persons whatsoever and of persons to be condemned and all the goods and chattels of all other persons whatsoever, howsoever, and in any manner to be confiscated within the Borough liberty and precinct aforesaid, so that if any person for any treason whatsoever felony or any action whatever ought to lose his life or a limb or shall flee, and be unwilling to abide judgment or be outlawed, or he should commit any other offence or forfeiture or any other thing, or anything should happen to him for which he ought to lose his goods and chattels wherever it may happen that justice thereof shall be done whether it be before us or our heirs or before us and our heirs in the Chancery of us and of our heirs, the Justices of the Common, Bench of us and of our heirs the Treasurer and Barons of the Exchequer of us and of our heirs, the Steward and Marshal or Clerk of the Market of the Household of us or of our Heirs the Justices in Eyre assigned and to be assigned to take Common Pleas and Pleas of the Crown or Pleas of the Forest the Justices of us and of our heirs assigned and to be assigned to take Assizes presentments and Certificates or any other kind of inquisitions or to deliver the Gaols, the Justices of us and of our heirs assigned and to be assigned to hear and determine treasons, felonies, trespasses, or any other things whatsoever as well at the suit of us or of our heirs as of any other persons or before the keepers of the peace of us or of our heirs and the Justices of us or of

our heirs assigned and to be assigned to hear and determine felonies trespasses and offences in any County of our Kingdom of England or in any other places whatsoever or before any other the Officers or Ministers of us or of our heirs as well in the presence of us and of our heirs as in the absence of us and of our heirs or in any other courts, rooms and places, they may be, those fines, issues, redemptions, amercements, things lost, forfeits, goods and chattels, wherever they can be found within the Borough liberty and precinct aforesaid shall be the property of the same Bailiffs and Commonalty and their Successors in support of the fee farm aforesaid and it shall be lawful to the aforesaid Bailiffs and Commonalty and their Successors, to put themselves in seisin of the said fines, issues, redemptions, amercements, things lost, forfeits, goods and chattels to be found within the Borough liberty and precinct aforesaid and to retain the same to the use and profit of the aforesaid Bailiffs and Commonalty and their Successors from the cause aforesaid without rendering anything thereof to us or to our heirs and without impeachment, molestation, or impediment of us or of our heirs, or of the Justices, Escheators, Sheriffs, or other Officers or Ministers whatsoever of us or of our heirs ; so that no Sheriff, Escheator, or any other officer of us or of our heirs shall enter the Borough liberty and precinct aforesaid there to seize, levy, attach or receive, such fines, issues, redemptions, amercements, things lost, forfeits, goods and chattels, nor in any way intrude himself in anything, and further of our grace aforesaid and of our knowledge and motion aforesaid we have granted for us and our heirs aforesaid to the aforesaid Bailiffs and Commonalty and their Successors that no one of them living and residing for the time within the Borough liberty and precinct aforesaid from this time shall be put or impanelled [the Latin is *impanelletur*] outside the Borough liberty and precinct aforesaid against his Will on any assizes, juries, inquisitions, attainders or recognizances, whatsoever touching us or our heirs or any other persons whatsoever nor be made the assessor taxer or collector of the tenths, fifteenths or other taxes, imposts, or subsidies whatsoever in any way granted or to be granted to us and our heirs or of any part or parcel of the same or of any of them or collector of the reasonable aid to make the first-born son of us and of our heirs a knight, or to marry the first-born daughter of us and of our heirs out of the Borough liberty and precinct aforesaid nor shall he be ordained or assigned Constable, Bailiff or any other officer or Minister of us or of our heirs without the same Borough liberty and precinct nor be called, compelled or constrained in any way to perform, receive and occupy, any office or charge above recited nor any other office against his will outside the Borough liberty and precinct aforesaid, and that although any one of the aforesaid Bailiffs and Commonalty or their Successors living and residing within the Borough liberty and precinct aforesaid shall be placed impanelled or returned on any such Assizes, juries, inquisitions, attainders, or any other recognisances whatsoever outside the Borough liberty and precinct aforesaid against his will or shall be elected to any offices or charges aforesaid or to any

other office or charge outside the Borough liberty and precinct aforesaid, and he refuse to come or appear before our Justices or any other Commissioners or officers of us or of our heirs before whom it shall happen that such Assizes, juries, inquisitions, attainders, or recognisances, are summoned or returned and in the same assizes, juries, inquisitions, attainders, or recognizances he refuse to be sworn or tried, or to perform receive or occupy the offices or charges, aforesaid, nevertheless, he thus refusing shall in no wise incur any contempt, amercement, penalty, forfeiture, or loss on those occasions or any of them at the hands of us or of our heirs, but he shall be quit and exonerated thereof for ever as well before any Justice of us and of our heirs as before the Treasurer and Barons of the Exchequer of us and of our heirs and in any other place of Record and before any other Commissioners and officers of us and of our heirs throughout our whole Kingdom of England. To the intent that express mention be made of the true annual value or any other value of the premises or of any other gifts or grants made to the aforesaid Burgesses and Commonalty or to the Burgesses of the Borough aforesaid or to their Predecessors by us or any of our progenitors before this time not made in these presents any other statute, act, ordinance, use, custom, or provision made, ordained, used or provided, or in any other thing, cause, or matter whatsoever to the contrary, notwithstanding.

These being witnesses, the Venerable Fathers Thomas, Archbishop of Canterbury, Primate of all England, our most dear Cousin, and W. Archbishop of York, Primate of England; G. Bishop of Exeter, our Chancellor, and W. Bishop of Ely; our beloved Cousins, George, Duke of Clarence, and Richard, Duke of Gloucester, our most dear Brothers, Richard, Earl of Warwick, our Chamberlain of England, and Henry, Earl of Essex, our Treasurer of England; our dearly beloved and faithful, William Hastynges de Hastyngs Chamberlain of our Household, Humphrey Stafford de Southwick, Knights, also our beloved Clerk, Master Robert Styllington, Keeper of our Privy Seal, and others.

Dated by our hand at Westminster the first day of March in the first year of our reign.

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the Charter as recited in the original Charter of 3 Henry VII., 28th November, 1488].

Borough of



Colchester.

Charter of 2 Richard III.

10TH DECEMBER, 1484.

[Of a confirmation for Colchester].

The King, to all to whom &c., greeting.

We have inspected a certain Charter of the Lord Edward the Fourth, late King of England, our brother made in these words :—

[Here follows verbatim the Charter of 1 Edward IV. as printed on pages 40 to 54 of this volume].

And we having ratified and confirmed the Charters and letters aforesaid, and all and singular in the same contained for us our heirs and successors as much as in us lies do accept and approve them, and to our well-beloved the now Bailiffs and Commonalty of the vill aforesaid and their successors, ratify and confirm them as the Charters and Letters aforesaid in themselves reasonably testify.

In witness of which &c.

Witness the King at Westminster on the tenth day of December.

For five marks paid into the Hanaper.

(Confirmation Roll, Chancery, 2 Richard III., part 3, No. 7.)

[NOTE.—The foregoing Charter was translated by Messrs. HARDY & PAGE (Record Agents), from a Record Office copy of the Charter as recorded in the above-mentioned Confirmation Roll].

Borough of



Colchester.

Charter of 3 Henry VII.

28TH NOVEMBER, 1488.

Henry, by the grace of God, King of England and France and Lord of Ireland to all whom these present letters shall come, greeting.

We have inspected a certain Charter of the Lord Edward late King of England the Fourth made in these words :—

[Here follows verbatim the Charter of 1 Edward IV. as printed on pages 40 to 54 of this volume].

We, therefore, holding established and agreeable the Charters and letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and do confirm them to our beloved the now bailiffs and commonalty of the vill aforesaid, and to their successors, as the charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twenty-eighth day of November in the third year of our reign.

For one hundred shillings paid in the hanaper.

Examined by Richard Skypton and William Eliot, clerks.

(Confirmation Roll, 3 Henry VII. p. 1, No. 13).

[NOTE.—The foregoing Charter was collated by MR. ISAAC H. JEAYES, of the British Museum, with the original Charter.]

Charter of 2 Henry VIII.

11TH MAY, 1511.

Henry, by the Grace of God, King of England and France and Lord of Ireland to all to whom the present letters shall come, greeting.

We have inspected the letters patent of confirmation of our most beloved father the lord Henry late King of England the Seventh made in these words:—

HENRY, by the grace of God, King of England and France and Lord of Ireland to all to whom these present letters shall come, greeting.

We have inspected a certain Charter of the Lord Edward late King of England the Fourth made in these words:—

[Here follows verbatim the Charter of 1 Edward IV. as printed on pages 40 to 54 of this volume].

We, therefore, holding established and agreeable the Charters and letters aforesaid, and all and singular matters in the same contained do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and do confirm them to our beloved the now bailiffs and commonalty of the vill aforesaid, and to their successors, as the charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twenty-eighth day of November in the third year of our reign.

We therefore, holding established and agreeable the letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now bailiffs and commonalty of the vill aforesaid, and to their successors, as the charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the eleventh day of May, in the second year of our reign.

(Confirmation Roll, 2 Henry VIII., p. 10, No. 12).

“Examined by John Yong and John Taillour, clerks.”

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the original Charter.]

Borough of



Colchester.

Charter of 26 Henry VIII.

4TH MARCH, 1535.

Henry the Eighth, by the Grace of God of England and France King, Defender of the Faith, Lord of Ireland, and on earth supreme head of the Church of England, to the Archbishops, bishops, abbots, priors, dukes, earls, barons, justices, sheriffs, foresters, reeves, ministers and all his bailiffs and faithful people to whom the present letters shall come, greeting.

Whereas our beloved the bailiffs and commonalty of our borough or vill of Colchester within our county of Essex and all their predecessors the bailiffs commonalty and burgesses of that borough or vill from the fourteenth year of Henry the Second formerly King of England our progenitor have hitherto had and now do have and ought to have yearly at our Exchequer the allowance and deduction of their ancient farm or fee farm of the aforesaid borough or vill due to us and our progenitors kings of England of forty shillings in default or defect of our wood of Kyngeswood for that the same wood before that time used to be in the farm of the said borough or vill of Colchester and then came to the hands of him formerly King Henry the Second, and remained in his hands, and from that time up to now was and yet is in the hands of us and our progenitors Kings of England as in our Exchequer aforesaid doth fully appear of record, which indeed wood of Kyngeswood doth lie and exist in the vills, parishes, hamlets, and places of Myleende, Lexden, West Bergholt Great Horkesley, Boxted, Langham, and Ardley, near and next the borough or vill of Colchester aforesaid and within the banlieu, ambit, circuit, precinct, limits and bounds of the franchises and liberties of that borough or vill.

And now the aforesaid bailiffs and commonalty are willing henceforth to ask and to have no allowance of the aforesaid forty shillings in our exchequer, so nevertheless that we would deign to grant our letters patent concerning our aforesaid wood of Kyngeswood and concerning our forest of Kyngeswood in the county aforesaid and concerning other privileges below expressed in form following.

Know ye that we, considering the premises, and for that the said bailiffs and commonalty will not henceforth be allowed the aforesaid forty shillings in our Exchequer, also for one hundred shillings to us in our hanaper by the same bailiffs and commonalty faithfully paid, whereof we do by these presents acknowledge ourselves to be satisfied, have given and granted, and for us our heirs and successors by these presents do give and grant to the aforesaid the now bailiffs and commonalty of the aforesaid borough or vill of Colchester all our forest, and wood, land, pasture, waste, underwood, alder trees, heath, common and assart of Kyngeswood, aforesaid otherwise called Kyngeswood Heath, and all timber, trees, wood and underwood there growing with all their appurtenances profits and all commodities lying and being in the vills, parishes, hamlets and places of Mileend, Lexden, West Bergholt, Boxtede, Horkesley, Langham, and Ardley aforesaid, by and near Colchester aforesaid in our aforesaid county of Essex by whatsoever name or whatsoever names, metes, bounds, limits, or extents the same forest, wood, land, pasture, waste, alder trees, underwood, heath, commons, and assarts or any parcel thereof in our Exchequer or elsewhere of record or otherwise they are known, deemed, called, limited, divided, or inclosed, or by any perambulation, inquisition or extent, or any perambulations, inquisitions or extents thereof henceforth in any wise to be made, taken or found, or by any other record or otherwise, were known or called.

We have granted also and by these presents do for us our heirs and successors aforesaid, grant to the now bailiffs and commonalty and their successors that the same the now bailiffs and commonalty and their successors can and may cut down and carry away to their own proper use all trees and all the wood and underwood in the said forest and wood growing, as often as and whensoever it shall please them, for their better profits, and commodities, and that they may have and receive all and singular other profits, liberties, privileges and advantages of and in the said forest or wood, in as ample manner and form as we, before the present day, have had them or could or ought to have them in whatsoever manner and howsoever the forest and wood aforesaid and the other premises to our hands or to the hands of our progenitors kings of England did come, or are or ought in any wise to have come and to have been in our hands.

To have the aforesaid forest wood and all and singular other the premises with all their appurtenances profits and commodities aforesaid to the now bailiffs and commonalty and their successors for ever, to be held of us and our heirs by the rent of one penny to be paid to us our heirs and successors at our Exchequer on the quinzaine of St. Michael the Archangel every year for all services exactions and demands whatsoever without account or any other matter of or for the aforesaid forest wood and other the premises or any parcel thereof to us or our heirs or successors to be rendered paid or made.

And further for the greater security of the aforesaid bailiffs and commonalty of and in the premises we will and by our present letters patent do give and grant to the same the now bailiffs and commonalty and their successors full power and authority from time to time at their pleasure whensoever and as often as it shall please them to survey the said forest, wood, land, pasture, waste, underwood, alder trees, heath, common and assart of Kyngeswood, with all their members and appurtenances whatsoever and every part thereof, and to perambulate and survey all and singular the metes, ends, bounds, and limits there as well in length as in breadth, as well by themselves as by the view of good and lawful men to this by the aforesaid the now bailiffs or their successors for the time being to be summoned and convoked and in all other ways methods and means by which it shall be possible to be done better according to their sound discretions, and to divide that forest and wood and the other premises and every part thereof so perambulated and surveyed with the metes bounds and limits, from the lands, pastures, woods and commons of all other men and persons in severalty, also to 'enclose the aforesaid, forest, wood, and other the premises with all their members and appurtenances whatsoever and every part thereof, at their pleasure, with hedges, ditches and pales; and also to have, keep and hold the forest and wood aforesaid and other the premises with all their members and appurtenances whatsoever and every part thereof so by the aforesaid bailiffs and commonalty or their successors inclosed in severalty as their own proper land and as the precinct and parcel of the liberty of the borough or vill of Colchester aforesaid, for ever without impeachment, claim, or molestation of us our heirs or successors or any other our ministers whomsoever.

And moreover we will and by these our present letters patent do grant to the now bailiffs and commonalty and their successors that this our grant by us to the same the now bailiffs and commonalty and their successors concerning the premises in form aforesaid made be as valid and efficacious in the law to the aforesaid now bailiffs and commonalty and their successors for ever as if an inquisition for our title of and in the premises had been duly found and taken and had been returned into our Chancery or Exchequer, and the forest and wood aforesaid and other the premises with their appurtenances and every part thereof had been named and expressed in the same inquisition by their own proper names together with the metes bounds and values of the same.

And further of our fuller special grace we have granted and by these presents do grant to the aforesaid the now bailiffs and commonalty and their successors that no burgess of the vill or borough of Colchester aforesaid dwelling or henceforth to dwell within the same vill or liberty of the same be henceforth sheriff or escheator of any county within our kingdom of England, and if he be elected or nominated to the office of Sheriff or escheator he shall be able lawfully and with impunity and

without impeachment whatsoever to refuse to exercise those offices and either of them, and that each of the said burgesses shall upon the showing of these presents be discharged from exercising the said offices or any of them and also that the said bailiffs and commonalty and their successors may have two coroners within the liberty and hamlets of the vill aforesaid as of old they have been accustomed to have and that the same coroners elected from themselves may have and exercise the same and similar power and authority within the vill aforesaid and the liberty and hamlets of the same as the coroners of our county of Essex or any other coroner within our kingdom of England may have and exercise.

And that the Coroners of our county of Essex shall in no wise intrude themselves within the said vill or borough, liberty and hamlets of the same to exercise or perform anything there pertaining to the office of coroner, and that the said bailiffs and commonalty and their successors may have all issues, fines amercements and other profits whatsoever which shall arise by reason or occasion of the office of coroner and which shall be forfeited in any way whatsoever before the coroners of the vill aforesaid without rendering paying or performing account thereof or anything else to us or our heirs.

And moreover we do grant by these presents for us and our heirs to the aforesaid now bailiffs and commonalty and their successors that the same bailiffs and commonalty and their successors may have and hold quietly and peaceably all and singular things contained and specified in these presents, and all other liberties franchises, privileges and customs which heretofore they had, have or ought to have in any way whatsoever.

And that from time to time upon the showing alone of these our letters patent as well in our Exchequer as in all other our Courts whatsoever they shall be allowed and exonerated of all and all manner of accounts or other claims and demands from the same bailiffs and commonalty or their successors or any of them of or for the premises or any of the premises by us by these our letters patent granted or for any issues farms or profits thence beyond the said one penny at the aforesaid quinzaine of St. Michael in form aforesaid to be paid every year, to be had, demanded, rendered, paid or claimed.

Although express mention of the true yearly value or of any other value of the aforesaid forest and wood of Kyngeswood and the other premises with the appurtenances or of any parcel thereof or of the certainty of the same and of whatsoever part thereof, or of the proper name thereof, or of any gifts or grants by us or any of our progenitors, Kings of England thereof to the aforesaid bailiffs and commonalty heretofore made, be not made in these presents, or the statute prohibiting lest lands

or tenements come to mortmain or any other statutes, acts, ordinances, provisions, restrictions, uses or customs to the contrary thereof heretofore made, had, ordained, used or provided, or any other thing cause or matter whatsoever in anywise notwithstanding.

Provided always that the same bailiffs and commonalty nor their successors have henceforth any allowance of the aforesaid forty shillings upon the payment of the fee farm of the vill aforesaid, but the same forty shillings as parcel of their fee farm they shall faithfully pay yearly to us and our heirs, in consideration of the premises, at our Exchequer.

We have granted also to the aforesaid bailiffs and commonalty that they shall have and receive these our letters patent sealed with our Great Seal without our hanaper without paying or rendering fine or great or small fee to us or to our use there or elsewhere and that the clerk of our hanaper for the delivery of them shall against us and our heirs be by these presents discharged and acquitted.

These being witnesses, the illustrious man Thomas Audley, Knight, our Lord Chancellor of England, also our beloved and faithful councillors Thomas Crumwell, our Chief Secretary, William Fitz Wylliam, Knight, Treasurer of our Household, and Wylliam Pawlet, Knight, Comptroller of our Household, and others.

Given by our hand at Westminster the fourth day of March in the twenty-sixth year of our reign.

By the King himself and of the date aforesaid by the authority of Parliament.

(Patent Roll, 26 Henry VIII., part 2, memb. 34).

[NOTE.—The foregoing Charter was collated by MR. ISAAC H. JEAYES, of the British Museum, with the copy thereof in the book entitled "*Cartæ Colcestrie*," which copy is said to have been made from the original.]

Borough of



Colchester.

Charter of 1 Edward VI.

20TH MAY, 1547.

Edward the Sixth, by the grace of God of England, France and Ireland, King, Defender of the Faith, and on earth supreme head of the Church of England and Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of confirmation of the Lord Henry, late King of England the Eighth, made in these words:—

HENRY, by the grace of God, King of England, and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the letters patent of confirmation of our most beloved father the lord Henry late King of England the Seventh made in these words:—

HENRY, by the grace of God, King of England and France and Lord of Ireland to all to whom these present letters shall come, greeting.

We have inspected a certain Charter of the Lord Edward, late King of England the Fourth made in these words:—

[Here follows verbatim the Charter of 1 Edward IV., as printed on pages 40 to 54 of this volume].

We therefore, holding established and agreeable the charters and letters aforesaid, and all and singular matters in the same contained do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and do confirm them, to our beloved the now bailiffs and commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminter the twenty eighth day of November, in the third year of our reign.

WE therefore, holding established and agreeable the letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the eleventh day of May, in the second year of our reign.

WE therefore, holding established and agreeable the Charters and Letters aforesaid and all and singular the matters in the same contained do for us and our heirs as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now bailiffs and commonalty of the vill aforesaid and to their successors as the charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twentieth day of May in the first year of the reign.

[For five pounds and ten shillings, paid in the hanaper].

(Confirmation Roll 1 Edward VI., p. 6, No. 9.)

[NOTE.—The foregoing Charter was collated by MR. ISAAC H. JEAYES, of the British Museum, with the recital of such Charter in the original Charter of 1 Elizabeth, 20th February, 1559.]



Charter of 1 Mary.

12TH DECEMBER, 1553.

Mary, by the Grace of God of England, France and Ireland, Queen, Defender of the Faith and on earth supreme head of the English and Irish Church to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of Confirmation of the Lord Edward late King of England the Sixth our most beloved brother made in these words :

EDWARD THE SIXTH, by the grace of God of England, France and Ireland, King, Defender of the Faith, and on earth supreme head of the Church of England and Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of confirmation of the Lord Henry, late King of England the Eighth, made in these words :—

HENRY, by the grace of God, King of England, and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the letters patent of confirmation of our most beloved father the lord Henry late King of England the Seventh, made in these words :—

HENRY, by the grace of God, King of England and France and Lord of Ireland, to all to whom these present letters shall come, greeting.

We have inspected a certain Charter of the Lord Edward, late King of England the Fourth, made in these words :—

[Here follows verbatim the Charter of 1 Edward IV. as printed on pages 40 to 54 of this volume].

We therefore, holding established and agreeable the Charters and Letters aforesaid, and all and singular matters in the same contained do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and do confirm them, to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twenty-eighth day of November, in the third year of our reign.

WE therefore, holding established and agreeable the letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the eleventh day of May, in the second year of our reign.

WE therefore, holding established and agreeable the Charters and Letters aforesaid and all and singular the matters in the same contained do for us and our heirs as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now bailiffs and commonalty of the vill aforesaid and to their successors as the charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twentieth day of May in the first year of the reign.

We therefore, holding established and agreeable the charters and letters aforesaid, and all and singular matters in the same contained do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now bailiffs and commonalty of the vill aforesaid and to their successors as the charters and letters aforesaid do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twelfth day of December in the first year of our reign.

(Confirmation Roll 1 Mary, p. 3. No. 12).

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum with the Charter as partly recited in the Charter of 1 Elizabeth, 20th February, 1559, and partly (the last three paragraphs) with the copy in the Book entitled "*Cartæ Colcestrie*."]

Borough of



Colchester.

Charter of 1 Elizabeth,

20TH FEBRUARY, 1559.

Elizabeth, by the grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c., to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of the Lady Mary, late Queen of England, our dearest sister, of confirmation made in these words :—

MARY, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith and on earth supreme head of the English and Irish Church, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of Confirmation of the Lord Edward late King of England the Sixth, our most beloved brother, made in these words :

EDWARD THE SIXTH, by the grace of God of England, France and Ireland, King, Defender of the Faith, and on earth supreme head of the Church of England and Ireland, to all whom the present letters shall come, greeting.

We have inspected the Letters Patent of confirmation of the Lord Henry, late King of England the Eighth, made in these words :—

HENRY, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of confirmation of our most beloved father, the lord Henry, late King of England the Seventh, made in these words :—

HENRY, by the grace of God, King of England and France, and Lord of Ireland, to all to whom these present letters shall come, greeting.

We have inspected a certain Charter of the Lord Edward, late King of England the Fourth, made in these words:—

[Here follows verbatim the Charter of 1 Edward IV., as printed on pages 40 to 54 of this volume].

We therefore, holding established and agreeable the Charters and Letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and do confirm them, to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twenty-eighth day of November, in the third year of our reign.

WE therefore, holding established and agreeable the letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the eleventh day of May, in the second year of our reign.

WE therefore, holding established and agreeable the Charters and Letters aforesaid and all and singular the matters in the same contained do for us and our heirs as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid and to their successors as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our Letters we have caused to be made patent.

Witness myself at Westminster the twentieth day of May in the first year of the reign.

We therefore, holding established and agreeable the charters and letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid and to their successors, as the charters and letters aforesaid do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twelfth day of December in the first year of our reign.

We therefore, holding established and agreeable the charters and letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the charters and letters aforesaid do reasonably witness.

In witness whereof these our letters we have made patent.

Witness myself at Westminster the twentieth day of February in the first year of our reign.

[For twelve pounds paid in the hanaper.]

(Confirmation Roll, 1 Elizabeth, p. 2, No. 11).

[NOTE.—The foregoing Charter was collated with the original Charter by MR. ISAAC H. JEAYES, of the British Museum].

Borough of



Colchester.

Charter of 26 Elizabeth.

6TH JULY, 1584.

[A Grant to the town of Colchester for the erection of a Free Grammar School.]

Elizabeth, by the grace of God, Queen of England, France and Ireland, Defender of the Faith, etc., to all to whom these presents shall come, greeting.

Know ye that whereas our most dear father, the Lord Henry VIII. late King of England, by his letters patent under the great seal of England, bearing date at Westminster the 12th day of November, in the 31st year of his reign, reciting by the same that whereas the Bailiffs, Burgesses and Commonalty of his town of Colchester in the County of Essex then lawfully had and by right ought to have the advowson of the Chantry of the Chapel of St. Helen in his town of Colchester aforesaid, and the advowson of another Chantry in the Church of the blessed Mary, within the same town in the aforesaid County, of old, erected and founded, which indeed Chantries were endowed with divers messuages, lands, tenements, meadows, pastures, woods, rents and other hereditaments; and the King being desirous that the said Chantries and the issues and profits of the aforesaid messuages, lands, meadows, pastures, rents and of the rest of the premises, should be turned to better uses, and taking into consideration the good intention of the Bailiffs, Burgesses and Commonalty of his aforesaid town both to erect and establish within the said town a free school and to relieve and support the commonwealth and the wants of his town aforesaid, by his special grace and of his certain knowledge and mere motion, as well as by his Royal authority as supreme head of the English Church, which he discharged while on earth, granted to John Christmas, Esquire, and to Thomas Cocke, Bailiffs of his town aforesaid, and to the Burgesses and the Commonalty of the aforesaid town, that they and their successors should have, hold, and keep henceforth for ever, all the messuages, lands, tenements, meadows, pastures, rents, reversions, services and other hereditaments whatsoever belonging to the aforesaid Chantry of St. Helen, which indeed Chantry then was vacant, to have and to hold the same messuages, lands, tenements, meadows, pastures, rents, reversions, and services, and other hereditaments belonging to the said Chantry of the aforesaid Chapel of St. Helen to the aforesaid Bailiffs, Burgesses and their successors in perpetuity. Moreover, the King by the same his letters patent granted to the aforesaid Bailiffs, Burgesses and Commonalty

that whenever the other aforesaid Chantry of the aforesaid Church of the Blessed Mary should first and next happen to be vacant for any reason whatever, that then immediately after such vacancy the aforesaid bailiffs, burgesses and commonalty, and their successors should have, hold, and keep, all the messuages, lands, tenements, meadows, pastures, woods, rents and services and other hereditaments whatsoever belonging to the same Chantry, to have and to hold the same messuages, lands, tenements, meadows, pastures, woods, rents, reversions and services, and other the hereditaments aforesaid, with their appurtenances, to the aforesaid Bailiffs, Burgesses and Commonalty, and their successors in perpetuity without molestation, impeachment, or grievance of the Bishop of London or of his successors or of any ordinary whatsoever be his name, condition or dignity, claiming or challenging any right of collation, institution or induction by reason of his office in the same Chantries, or either of them. So however, that the said Bailiffs, Burgesses and Commonalty should lay out and distribute according to their sound discretions a part of the aforesaid messuages, lands, tenements, pastures, meadows, and of the other premises for the erection of a certain free school in the same town, and the remainder to the common use of the aforesaid town for the better payment of the fee farm of the same town, and for the purpose of erecting that said free School in accordance with the statutes and ordinances of his beloved and faithful counsellor Sir Thomas Audley, Knight, Lord Awdeley of Waldon, then Chancellor of England, and of the same Bailiffs Burgesses and Commonalty, the aforesaid King by the same his letters patent gave and granted his special licence to the same Bailiffs, Burgesses and Commonalty as by the aforesaid letters patent (among other things) it is more fully clear and apparent.

And whereas also after the grant of our aforesaid father, so as is aforesaid made, the aforesaid Chantry in the said Church of the Blessed Mary became vacant, and the aforesaid Bailiffs and Commonalty of the aforesaid town of Colchester, had had, held and enjoyed the aforesaid lands, tenements and hereditaments, belonging and pertaining to the aforesaid Chantry, in the said Church of the Blessed Mary from the time of the vacancy of the same, and the aforesaid lands, tenements and hereditaments of the aforesaid Chantry of the Chapel of St. Helen from the time of the grant of the aforesaid letters patent, and had laid out part of the profits of the same to the annual value of £6 13s. 8d. for the maintenance and the support of the School Master in the same town for the instruction and teaching of the youth of the town aforesaid, but yet neither of the aforesaid Bailiffs and Commonalty nor their successors up to the present have laid out or distributed any portion of the aforesaid messuages, lands, tenements and the other premises for the erection of a free school in the same town according to the provisions and intentions expressed in the same letters patent, and as neither the aforesaid Thomas

Audley, Knight, Lord Awdeley of Waldon, nor the Bailiffs and Commonalty named in the same letters patent have ordained or instituted any statutes or ordinances concerning the aforesaid free school, as it is plainly clear and apparent by an inquisition lately taken at Stratford Langthorne, in the said County of Essex now remaining in our Exchequer.

And whereas also divers questions and ambiguities on the validity and the power of the aforesaid letters patent before this have arisen and been moved, not only concerning the said grant of the aforesaid messuages, lands, tenements, and all the other premises, so as is aforesaid granted, but also because the aforesaid grant was made to the Bailiffs, Burgesses and Commonalty of our aforesaid town, where in fact the aforesaid town exists incorporated and then did exist by the name of the Bailiffs and Commonalty of our town of Colchester only.

And whereas also now the Bailiffs and Burgesses of our town aforesaid have surrendered the said letters patent of our aforesaid father to us in our chancery, to be cancelled.

KNOW YE that we, bearing a special favour towards literature and desiring before everything the improvement of the state and the utility of our aforesaid town of Colchester, which is one of the most ancient towns and boroughs of our Kingdom of England, by our special grace, certain knowledge and mere motion, have given and granted and by these presents for us, our heirs and successors, do give and grant to the Bailiffs and Commonalty of our aforesaid town of Colchester, the aforesaid late several Chantries, and all the messuages, lands, tenements, meadows, feedings, pastures, woods, rents, reversions, services, and other hereditaments whatsoever lately belonging or appertaining to the said Chantries, or which existed as part, parcel, or member of the aforesaid Chantries, or were known, taken, or reputed as part, parcel, or member of the same in the said letters patent by our aforesaid father, as is aforesaid made, contained, or specified as fully, freely, and wholly, and in as ample manner, form, quality, and condition as all and singular those that came or ought to have come or ought to come, or any part thereof came, or ought to have come, or ought to come to our hands, or to the hands of our said very dear father, Henry VIII., or of our brother, Edward VI., late Kings of England, or to the hands of our very dear sister Mary, late Queen of England, or to the hands of any of them, by reason or title aforesaid, or by pretext of any Act or Acts of Parliament, or any other law, manner, title, or right whatever, came or ought to have come, or ought to come, or any part thereof came, or ought to have come. And as fully, freely, and wholly and in as ample manner and form as any Guardian, Chantry-priest, or Feoffee, or any Guardians, Chantry-priests, or Feoffees of the said Chantry of the Chapel of St. Helen, and of the said Chantry in the Church of

the Blessed Mary, within the said town of Colchester, or of any one of the same, or as any other or others heretofore having, possessing, or being seized thereof, have ever had, held, or enjoyed, or has had, held, or enjoyed, or ought to have had, held, or enjoyed the said Chantries, messuages, lands, tenements, meadows, feedings, pastures, and all and singular the rest of the premises above by these presents before granted or any part of them. We also give by these presents for the aforesaid consideration, and of our certain knowledge and mere motion, for us our heirs and successors, we do grant to the aforesaid Bailiffs and Commonalty, all and every kind, the woods, underwoods, and whatsoever trees growing and being from and on the premises by these presents given and granted, with their appurtenances or whatever, or any parcel thereof, and all the land, foundation, and soil of the same woods, underwoods, and trees. To have, hold, and enjoy the aforesaid late Chantries, messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rents, reversions, services, hereditaments, and all and singular the rest of the premises above by these presents given and granted, with all and singular their appurtenances to the aforesaid Bailiffs and Commonalty of our said town of Colchester, their successors and assigns for ever, to the sole need and use of the said Bailiffs and Commonalty, their successors and assigns for ever, to hold all and singular the premises from us, our heirs and successors, as of our Manor of East Grenewiche, in our County of Kent, by fealty only in free and common socage, and not in capite, nor by military service, for all services, exactions, and demands whatsoever thence to us, our heirs or successors, in any way, to be rendered, paid, or done.

So, however, that the said Bailiffs and Commonalty according to their sound discretion in common, shall lay out and distribute a part of the aforesaid messuages, lands, tenements, pastures, meadows, and of the rest of the premises, for the erection of a certain Free School in the same town, and the remainder for the common utility of the aforesaid town, for the better payment of the fee-farm of the same town.

And in order that our aforesaid intention concerning the erection of the aforesaid Free School may have better effect, of our more ample grace we have given and granted, and for us our heirs and successors we do give and grant by these presents to the Bailiffs and Commonalty and their successors, our special permission to found and erect a Free Grammar School within our town aforesaid, and to assign, limit, and convey a part of the messuages, lands, tenements, and hereditaments aforesaid, being of the clear annual value of twenty marks or more, for the maintenance of the same school in perpetuity as it shall seem the better expedient to them. We also grant that the said Bailiffs and Commonalty of our said town of Colchester and their successors may and can for ever elect, name and appoint from

time to time the pedagogue or Schoolmaster of the aforesaid school. And moreover, for the better government and ordering of the aforesaid school we will and grant that the Bishop of London, and the Dean of the Cathedral Church of St. Paul's, London, and their successors for the time being, shall from time to time make, and may and can make, suitable and healthy statutes and ordinances in writing concerning and touching the ordering, government, and direction of both the schoolmaster and the scholars of the school aforesaid; which indeed statutes and ordinances, to be made from time to time by the aforesaid Bishop and Dean or their successors, we will and command by these presents to be firmly observed, kept and fulfilled by the schoolmaster, and by the scholars of the aforesaid school, in every particular. Willing moreover that the said school, and the master and scholars of the same in future and for ever be and shall exist under the visitation and correction of the Bishop of London and his successors for the time being, and that the aforesaid Bishop and his successors from time to time henceforth may and can visit and supervise as well the aforesaid school, and the master and scholars of the same school, as well as all and singular the messuages, lands, tenements, and hereditaments which shall happen to be conveyed, assigned, or limited by the aforesaid Bailiffs and Commonalty to and for the maintenance of the same school, so as before recited. And moreover from time to time they shall cause and shall make the issues, revenues, and profits of the same messuages, lands, and tenements to be laid out, converted, and expended to and for the maintenance and support of the said school and schoolmaster of the same, for the time being, according to the tenor, effect, and true intention of these our letters patent. And furthermore, we of our more ample grace have given and have granted, and by these presents for ourselves and heirs and our successors do give and grant, to the aforesaid Bailiffs and Commonalty of our town of Colchester aforesaid, and to their successors, all the issues, rents, revenues, and profits of all and singular the premises with all their appurtenances, from the time when the same premises, or any parcel thereof, came or ought to have come into the hands of our said father, brother, or sister, or into our own hands, hitherto issuing, growing, renewing, or emerging therefrom, to have, to hold and to enjoy the same, to the same Bailiffs and Commonalty and their successors, of our gift without any account or anything else in any way whatever having to be rendered, paid, or made to us, our heirs or our successors. And also further we will and by these presents for us and our successors do grant to the aforesaid Bailiffs and Commonalty, that the said Bailiffs and Commonalty shall have these our letters patent concerning the premises under our great seal to be sealed free of our hanaper, without fine or fee, great or small, for our use there or elsewhere to be paid, rendered, or made. And that these our letters patent and the enrolment of the same shall be firm, valid, good, sufficient and effectual in law towards us, our heirs and successors, as well in all our Courts as as elsewhere within our Kingdom of England without any confirmations, licenses,

or tolerations from us, our heirs or successors hereafter, by the aforesaid Bailiffs and Commonalty their successors and assigns to be procured or obtained, notwithstanding mistakes in names or recitals, or the omissions of names and recitals omitted in the aforesaid messuages, lands, tenements and other the premises or any parcel thereof, or notwithstanding insufficient investigation or want of investigation of the premises by which our title ought to have been found before the making of these our letters patent, and notwithstanding any defect in the correctness or reckoning or declaration of the true annual value of the premises, or of any parcel thereof, or of the annual rents reserved from and upon the premises, or in any parcel thereof expressed and contained in these our letters patent, or notwithstanding any other defects in the proper naming or not naming of any town, hamlet, parish, or county in which the premises or any parcel of them exist or exists, or in omitting to name the premises or any parcel thereof in nature, kind, species, or quality, although express mention concerning the true annual value, or concerning the correctness of the premises, or any of them, or concerning other gifts or grants by us or by any of our progenitors to the aforesaid Bailiffs and Commonalty heretofore made does not exist in these presents, or any statute, act, ordinance, provision, or restriction thence to the contrary made, issued, ordered, or provided, or any other act, cause, or matter whatever in any way notwithstanding.

In witness whereof we have caused these our letters to be made patent.

Witness myself at Westminster, the sixth day of July, in the twenty-sixth year of our reign.

By writ of privy seal, and of the date of the aforesaid authority of Parliament.

(Signed) GERRARD.

(Patent Roll, 26 Elizabeth, part 4, m.4. 30).

[NOTE.—The foregoing Charter was collated with the original Charter by Mr. ISAAC H. JEAYES, of the British Museum.]

Borough of



Colchester.

Charter of 3 James I.

16TH JULY, 1605.

James, by the grace of God of England, Scotland, France, and Ireland, King, Defender of the Faith, &c., to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of the Lady Elizabeth, late Queen of England, our dearest sister, of confirmation made in these words:—

ELIZABETH by the grace of God, of England, France, and Ireland, Queen, Defender of the Faith, &c., to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of the Lady Mary, late Queen of England, our dearest sister, of confirmation made in these words:—

MARY, by the Grace of God, of England, France, and Ireland, Queen, Defender of the Faith and on earth supreme head of the English and Irish Church, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of Confirmation of the Lord Edward late King of England the Sixth, our most beloved brother, made in these words:

EDWARD THE SIXTH, by the grace of God of England, France and Ireland, King, Defender of the Faith, and on earth supreme head of the Church of England and Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of confirmation of the Lord Henry, late King of England the Eighth, made in these words:—

HENRY, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of confirmation of our most beloved father, the lord Henry, late King of England the Seventh, made in these words:—

HENRY, by the grace of God, King of England and France, and Lord of Ireland, to all to whom these present letters shall come, greeting.

We have inspected a certain Charter of the Lord Edward, late King of England the Fourth, made in these words:—

[Here follows verbatim the Charter of 1 Edward IV., as printed on pages 40 to 54 of this volume].

We therefore, holding established and agreeable the Charters and Letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and do confirm them, to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twenty-eighth day of November, in the third year of our reign.

WE therefore, holding established and agreeable the letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the eleventh day of May, in the second year of our reign.

WE therefore, holding established and agreeable the Charters and Letters aforesaid and all and singular the matters in the same contained do for us and our heirs as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid and to their successors as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our Letters we have caused to be made patent.

Witness myself at Westminster the twentieth day of May in the first year of the reign.

We therefore, holding established and agreeable the charters and letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid and to their successors, as the charters and letters aforesaid do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the twelfth day of December in the first year of our reign.

We therefore, holding established and agreeable the charters and letters aforesaid, and all and singular matters in the same contained, do for us and our heirs, as much as in us doth lie, accept and approve them, and do ratify and confirm them to our beloved the now Bailiffs and Commonalty of the vill aforesaid, and to their successors, as the charters and letters aforesaid do reasonably witness.

In witness whereof these our letters we have made patent.

Witness myself at Westminster the twentieth day of February in the first year of our reign.

We have inspected also a certain Charter of the Lord Henry, of famous memory, late King of England the Sixth, our ancestor, made in these words ;—

[Here follows verbatim the Charter of 25 Henry VI., printed on pages 36 to 39 of this volume].

We therefore, holding established and agreeable the Charters and Letters aforesaid, and all and singular matters in the same contained, for us, our heirs and successors, as much as in us doth lie, accept and approve them, and by the tenor of these presents do ratify and confirm to our beloved the now bailiffs and Commonalty of the vill aforesaid, and to their successors, as the Charters and Letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness the King at Westminster the sixteenth day of July, in the year of our reign of England, France and Ireland, the third, and of Scotland, the thirty-eighth.

[For twenty pounds paid into the hanaper].

(Confirmation Roll, 3 James I, part 3, No. 2).

[NOTE.—The foregoing Charter was collated by Mr. ISAAC H. JEAYES, of the British Museum, with the Charter as recited in the original Charter of 5 Charles I, 18th June, 1629].



Charter of 5 Charles I.

18TH JUNE, 1629.

Charles, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, etc., to all to whom the present letters shall come, greeting.

We have inspected the Letters Patent of the lord James [* * * a few words defaced], late King of England, our dearest father, of confirmation, made in these words :—

[Here follows verbatim the Letters Patent of 3 James I., printed on pages 76 and 79 of this volume].

We have inspected also a certain Charter of the lord Henry, formerly King of England the Sixth, our ancestor, made in these words :—

[Here follows verbatim the Charter of 25 Henry VI., printed on pages 36 to 39 of this volume],

We therefore, holding established and agreeable the Charters and letters aforesaid, and all and singular matter in the same contained, do for us our heirs and successors, as much as in us doth lie, accept and approve them, and by the tenor of these presents do ratify and confirm to our beloved the now bailiffs and commonalty of the vill aforesaid and to their successors, as the Charters and letters aforesaid in themselves do reasonably witness.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster the eighteenth day of June in the fifth year of our reign.

(Patent Roll, 5 Charles 1, p. 36. No. 76).

[NOTE.—The foregoing Charter was collated with the original Charter, by Mr. ISAAC H. JEAYES, of the British Museum].

Borough of



Colchester.

Charter of 11 Charles I.

9TH JULY, 1635.

Charles, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c.

Whereas the Borough of Colchester, in our County of Essex, is one of the most ancient boroughs of our Kingdom of England, and doth stand situated near to the sea coasts in resistance of our enemies wishing to invade the same kingdom.

And whereas the same borough is broad and populous, containing in itself four wards, and is inhabited principally by burgesses industriously exercising the manufacture of cloth and merchandise.

And whereas the burgesses of the same borough, as well by reason of divers Charters and Letters Patent by divers of our progenitors and ancestors, late Kings and Queens of England, to them and to their predecessors before this made and granted, as of prescriptions and customs from time to the contrary whereof the memory of man runneth not, in the same borough used, have used and enjoyed divers liberties, franchises, privileges, immunities, and quittances.

And whereas also the Lord Richard the First, late King of England, by his Letters Patent, sealed with his Great Seal of England, bearing date the sixth day of December, in the first year of his reign, did grant to the Burgesses of the borough aforesaid that they should appoint, from amongst themselves, whomsoever bailiffs they would.

And the Lord Edward the Fourth, late King of England, by his Letters Patent, sealed with his Great Seal of England, bearing date at Westminster, in our County of Middlesex, the first day of March, in the first year of his reign did grant to the Bailiffs and Burgesses of the same borough that they and their successors, Burgesses of that borough, should from that time thenceforth for ever, of two Bailiffs and one Commonalty, be one body perpetual, and one Commonalty perpetual in deed and in name,

and should have perpetual succession; and that the same Bailiffs and Commonalty and their successors should be called for ever the Bailiffs and Commonalty of the Borough of Colchester, as by the same Letters Patent (among other things) is more fully clear and doth appear.

And whereas moreover the Bailiffs and Burgesses of the borough aforesaid, before the incorporation aforesaid, and the Bailiffs and Commonalty of the same borough, after that incorporation made in form aforesaid, have shown themselves grateful to our progenitors and ancestors, late Kings and Queens of England, in very many laudable services, also the same Bailiffs and Commonalty have lately willingly and out of zeal offered their fealty in our affairs.

We therefore, considering the premises, and seriously regarding the good of the borough aforesaid, and of our people there dwelling, and willing and providing by our greatest study and care that the same our people dwelling in that borough, as is aforesaid, should be maintained in trades and such methods of living, and cheerfully to mind that the same be encouraged by our munificence and favour, and that there should be continually had in the borough aforesaid one certain and undoubted method for preserving our peace within the same borough, and for well governing and regularly disposing our people dwelling there, and others resorting thither, by which the same our peace shall in future times be the better preserved inviolate, and that all other acts of justice and of good government within the borough aforesaid be rightly administered and executed, and that that borough should be and henceforth for ever remain a borough and vill of peace and quietness, to the terror of evil doers, the punishment of delinquents, and the reward of the good, hoping that if the Burgesses of the borough aforesaid and their successors should be able to enjoy from our grant fuller liberties and privileges, then they should feel themselves the more strongly obliged to perform the services which they could to us, our heirs and successors, as well from affection as from obedience, of our special grace, and of our certain knowledge and mere motion have willed and declared, and by these presents, for us our heirs and successors, do will and declare that the borough aforesaid be henceforth and for ever remain a free borough of itself, bounded by all its ancient and former limits and bounds.

And that the men and Free Burgesses* of the borough aforesaid, and the Bailiffs and Commonalty of the same, and their successors may and shall be in future times one body corporate and politic in deed, fact, and name, by the name of the Mayor and Commonalty of the borough of Colchester in the County of Essex.

[*The words "*liberi burgenses*" have been partly erased. I.H.J.]

And we do, for us our heirs and successors, make, create and declare them by these presents, by the name of the Mayor and Commonalty of the borough of Colchester in the County of Essex, one body corporate and politic in deed, fact and name, really and fully.

And that by the same name they may have perpetual succession.

And that they by the name of the Mayor and Commonalty of the Borough of Colchester in the County of Essex, may and shall be henceforth for ever persons able and in law capable to have, take, acquire, and possess manors, lands, tenements, rents, liberties, privileges, jurisdictions, franchises and hereditaments of whatsoever kind, nature, name, or species they may be, to themselves and to their successors, in fee and perpetuity, or for any terms whatsoever, and also goods and chattels, and whatsoever other things of whatsoever kind, nature, or species they may be; also to give, grant, demise, assign and dispose of manors, lands, tenements, hereditaments, goods and chattels; and to do and execute, by the name aforesaid, all and singular other deeds and matters concerning the borough aforesaid.

And that, by the same name of the Mayor and Commonalty of the borough of Colchester in the county of Essex, they may and can plead and be impleaded, answer and be answered, defend and be defended, in all and singular actions, pleas, suits, complaints, causes, matters and demands real, personal or mixed whatsoever, and of what kind soever in whatsoever courts, and before whatsoever judges or justices or other officers and ministers of us our heirs and successors moved or to be moved, in the same manner and form as any others our lieges of our kingdom of England persons able and in law capable, or any other body corporate and politic within our kingdom of England might and could have, take, acquire, possess, give, grant, demise, assign, or dispose of, or plead and be impleaded, answer and be answered, defend and be defended, do or execute.

And that the Mayor and Commonalty of the borough aforesaid and their successors may for ever have a common seal to serve for their causes and matters in any way concerning the borough aforesaid.

And that it may and shall be rightfully lawful for the same Mayor and Commonalty and their successors at their pleasure from time to time to break, change, and made anew that seal, as to them it shall seem expedient.

And further we will, and by these presents, for us, our heirs and successors, do declare, that henceforth for ever there may and shall be within the Borough aforesaid, of the free Burgesses of that Borough in the form in

these presents below mentioned, nominated and elected, that is to say, one who shall be called the Mayor, nine others who shall be called Aldermen, sixteen others who shall be called Assistants, and sixteen others, that is to say, four out of each of the aforesaid wards, who shall be called the Common Council of the same Borough.

Which indeed Mayor shall in like manner be an Alderman of the Borough aforesaid.

And which indeed nine Aldermen, sixteen Assistants, and sixteen of the Common Council of the Borough aforesaid shall be, from time to time, advising and assisting the Mayor of the same borough for the time being in all causes, matters and businesses touching, or in any manner concerning, that borough.

And further we will, and by these presents, for us our heirs and successors do grant to the aforesaid Mayor and Commonalty of the same borough and their successors, that henceforth yearly for ever that is to say, on the Monday that shall first happen after the Feast of the Decollation of St. John the Baptist, it may and shall be lawful, as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being, or the greater part of the same (except as below is excepted) to nominate two of the Aldermen of the same borough for the time being, as for the Mayor of the borough aforesaid for the time being, and the rest of the same Aldermen or the greater part of them, after that nomination made, to elect one, from the same Aldermen so nominated, as Mayor of the borough aforesaid. And that he who shall be so elected as Mayor of the borough aforesaid, after that election made, and before he is admitted to execute the office of Mayor, that is to say, on the Feast day of St. Michael the Archangel next following after such election, shall take his corporal oath, before the last Mayor of the borough aforesaid for the time being the predecessor of that Mayor elect, the rest of the Aldermen, the Assistants and Common Council of that borough for the time being, or as many of them as then shall wish to be present, of whom we will that the said last Mayor, if he be surviving and shall wish to be present, shall be one, to execute his office of Mayor of the borough aforesaid rightly and faithfully in all things touching that office.

And after that oath so taken that he may and can execute the office of Mayor of the borough aforesaid for one entire year then next following, and from thence until another shall be duly elected, preferred and sworn to that office.

And so from year to year each year for ever.

And as often as anyone elected as Mayor of the borough aforesaid shall die, or shall refuse to undertake the office of Mayor of the same borough before he shall have taken such oath, we will that a similar nomination and a similar election be held, and that he who is newly elected, shall, having taken the oath as before, execute the office of Mayor of the same borough in form aforesaid.

And if it shall happen that the Mayor of the borough aforesaid for the time being should at any time within one year after he shall have been so as aforesaid elected, preferred and sworn to the office of Mayor of that borough, die, we will and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that after the death of such Mayor, that is to say, at a time suitable, fitting, and not protracted by unnecessary suspensions, it may and shall be rightly lawful, as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted), or the greater part of the same, to nominate two of the Aldermen of the borough aforesaid, surviving the said Mayor in form aforesaid, as for the rest of the same Aldermen, or the greater part of them after that nomination made, one of the same Aldermen so nominated as Mayor of that borough in the place and office of such Mayor so dead, to elect, prefer, and swear.

And that he so elected, preferred and sworn as Mayor of the borough aforesaid may have and exercise that office during the remainder of the same year, and thenceforth until another one shall be duly elected, preferred, and sworn to that office in form aforesaid.

And in the meantime the Alderman who shall be first in order after the Mayor aforesaid so dead (the mayoralty being vacant) may officiate as Mayor within the borough aforesaid.

And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents do declare, that each of the Aldermen aforesaid in the form in these presents below to be elected, after he is elected an Alderman of the borough aforesaid, and before he is admitted to exercise the office of Alderman of the same borough within that borough, shall take his corporal oath before the Mayor, the rest of the Aldermen, the Assistants, and the Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of

whom we will the Mayor of the borough aforesaid for the time being to be one, rightly and faithfully to execute the office of Alderman of the same borough in all things touching or concerning that office.

And after such oath so taken we will, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that the same so sworn should exercise and use the office of Alderman of the same borough during his natural life, unless in the meantime he shall be removed from that office in the form and from the cause below mentioned.

And if it shall happen that any one of the aforesaid Aldermen of the borough aforesaid either by these presents below constituted, or by virtue of these presents henceforth to be elected, should die or be removed from his office of Alderman of the same borough, that after the death or removal of such Alderman, that is to say, at a time suitable, fitting, and not protracted by unnecessary suspensions, it may and shall be rightly lawful, as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted) or the greater part of the same, two of the Assistants of the same borough for the time being (provided neither of them should exercise the trade of an alehouse-keeper or brewer), to nominate, as for the Mayor, the rest of the Aldermen then surviving, the rest of the Assistants not nominated, and the Common Council of the borough aforesaid for the time being, or the greater part of the same, after that nomination made, one of the same Assistants so nominated, to elect and prefer as Alderman of that borough, in the place and office of such Alderman so dead or removed, to supply the aforesaid number of Aldermen of the borough aforesaid.

And this from time to time, as often as the case should so happen, for ever.

We will also, and by these presents *[declare], that each of the Assistants aforesaid in the form in these presents, below to be elected, after he is elected an Assistant of the borough aforesaid, and before he is admitted to exercise the office of Assistant of the same borough within that borough, shall take his corporal oath before the Mayor, Aldermen, the rest of the Assistants and the Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of whom we will the Mayor of the borough aforesaid for the time being to be one, rightly and faithfully to execute the office of Assistant of the same borough in all things touching or

*[A word erased in the original Charter—probably *declaramus*].

concerning that office. And after such oath so taken, we will and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that the same so sworn shall exercise and use the office of Assistant of the same borough during his natural life, unless in the meantime he is elected and preferred as one of the Aldermen of the borough aforesaid, or in the form, and from the cause below mentioned, shall be removed from that office. And if it shall happen that any one of the aforesaid Assistants of the borough aforesaid, either by these presents below constituted, or by force of these presents henceforth to be elected, shall die, or be removed from his office of Assistant of the same borough, that after the death or removal of such Assistant, that is to say, at a time suitable, fitting, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted), or the greater part of the same, to elect and prefer one of the aforesaid sixteen of the Common Council of the borough aforesaid for the time being as Assistant of that borough in the place and office of such Assistant so dead or removed, to supply the aforesaid number of Assistants of the borough aforesaid.

And this from time to time, as often as the case shall so happen, for ever.

We will moreover, and by these presents do declare, that each one of the Common Council of the borough aforesaid, in the form in these presents below to be elected, after he is elected one of the Common Council of that borough, and before he is admitted to exercise the office of one of the Common Council of the same borough within that borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and the rest of the Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of whom we will the Mayor of the said borough to be one, rightly and faithfully to execute the office of one of the Common Council of the same borough in all things touching or concerning that office. And after such oath so taken, we will and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that the same so sworn shall exercise and use the office of one of the Common Council of the same borough during his natural life, unless in the meantime he is elected and preferred to be one of the Assistants of the borough aforesaid, or be removed from that office, in the form and from the cause below mentioned. And if it shall happen that any one of the Common Council

of the borough aforesaid, either by these presents below constituted, or by force of these presents in future to be elected, shall die, or be removed from his office of Common Council of the same borough, that after the death or removal of such of the Common Council, that is to say, at a time fitting, suitable, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful as well for the Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted), or the greater part of the same, to nominate two fitting men of the more honest and discreet of the Free Burgesses of the Commonalty of the same borough, as for the Mayor, Aldermen, Assistants and the rest of the Common Council of the borough aforesaid for the time being, or the greater part of them, after that nomination made, to elect and prefer one of the same two men so nominated as one of the Common Council of that borough in the place of such of the Common Council of the said borough so dead or removed, to supply the aforesaid number of sixteen of the Common Council of the same borough.

And this in like manner, from time to time, as often as the case shall so happen for ever.

We will moreover, and by these presents, for us our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that if any one who in future shall be elected to the office of Mayor, Alderman, Assistant, or Common Council, or to any other office within the borough aforesaid, in due manner being a member of the body of the borough aforesaid, so as is aforesaid corporate, and participating in the liberty of the same, and having notice of such his election, shall refuse to exercise the same office to which he shall be so elected, that then, and so often, it may and shall be rightfully lawful for the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or the greater part of them, to impose a reasonable fine or or amercement upon each one so refusing for such his refusal, and if any one so refusing shall decline to pay the fine or amercement upon him so imposed, then and so often, each one so declining, to commit to any our prison within the borough aforesaid, and there to detain in prison until he pay, or cause to be paid, that fine or amercement.

And further we will, and by these presents do ordain, that henceforth for ever there may and shall be in the borough aforesaid a High Steward to advise and direct the Mayor and Commonalty of the same borough in the chief business touching that borough. Which High Steward indeed shall continue in the office of High Steward of the borough aforesaid during his natural life, unless in the meantime he should resign that office

of his own free will. And if it shall happen that any High Steward of the borough aforesaid, either by these presents below constituted or by force of these presents in future to be elected, shall die or resign the office of High Steward of the same borough, we will, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that after the death or resignation of such High Steward, that is to say at a time fitting, suitable, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful for the Mayor, Aldermen, Assistants, Common Council and Free Burgesses of the Commonalty of the borough aforesaid for the time being (except before excepted), or the greater part of the same, to choose and prefer one other as High Steward of the borough aforesaid, in the place of such High Steward so dead or resigning.

And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid and to their successors, that henceforth for ever they may and shall have in the borough aforesaid a man of probity, and skilled in the law, and fitting, in the form in these presents below specified to be elected, who shall be called the Recorder of the borough aforesaid, to advise and direct the Mayor and Commonalty of the same borough in whatsoever businesses touching that borough, and to do and execute, by himself or by his sufficient deputy, all other things which do pertain to the office of Recorder within that borough. And that the same Recorder so to be elected, after he is elected as Recorder of the borough aforesaid, and before he is admitted to exercise the office of Recorder within that borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present (of whom we will the Mayor of that borough for the time being to be one) rightly and faithfully to execute the office of Recorder of the same borough in all things touching or concerning that office. And that after such oath so taken, he shall exercise and use the office of Recorder of that borough by himself or by his sufficient deputy within the same borough, during his natural life, unless in the meantime of his own free will he shall resign the same office, or be removed from that office in the form and from the cause below mentioned.

And if it shall happen that any Recorder of the borough aforesaid, either by these presents below constituted, or by force of these presents in

future to be elected, shall die, or resign the office of Recorder of the borough aforesaid, or be removed from that office, we will, and by these presents, for us our heirs and successors, do further grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that after the death, resignation, or removal of such Recorder, that is to say, at a time fitting, suitable, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful for the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, and the other Burgesses of the borough aforesaid (except below excepted), or the greater part of the same, to elect and prefer one other man of probity, skilled in the law, and fitting, as Recorder of that borough in the place of such Recorder so dead, resigning, or removed.

And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us our heirs and successors, do ordain that henceforth for ever there may and shall be within the borough aforesaid, a man of probity and honest, who shall be called the Common Clerk of the same borough, to be nominated by the Recorder of the borough aforesaid for the time being, which indeed Common Clerk of the borough aforesaid, by himself or his sufficient deputy, shall write and make all and singular recognizances before the Mayor of the borough aforesaid, or any other Justice assigned to keep the peace within the same borough for the time being to be taken and acknowledged, and the same so taken and acknowledged shall transcribe and enter on parchment, and whatsoever laws, ordinances, constitutions, and provisions by the Mayor, Aldermen, Assistants, and Common Council of the same borough for the time being, or the greater part of the same, in their assemblies within the same borough for the good rule and government of that borough henceforth to be granted, ordained, or done; also all processes and acts of court at the sessions of peace to be held for the borough aforesaid within that borough. And also all actions, plaints, pleas, processes and acts of court in whatsoever other courts within the borough aforesaid to be held, shall make, write, register, and enrol. And shall write and make all writings, deeds, charters, and muniments concerning the Mayor and Commonalty of the borough aforesaid, and their successors in right of the aforesaid body politic so as aforesaid corporate and shall well and faithfully do and execute all other things which do pertain to the office of Common Clerk of the borough aforesaid to be done. And that the same Common Clerk of the borough aforesaid, after he is nominated Common Clerk of the borough aforesaid, and before he is admitted to exercise the office of Common Clerk of the same borough within

that borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of whom we will the Mayor of that borough for the time being to be one, rightly and faithfully to execute the office of Common Clerk of the same borough in all things touching or concerning that office. And that after such oath so taken he may exercise and use the office of Common Clerk of the borough aforesaid, by himself or his sufficient deputy. And shall perceive and have all and singular fees, rewards and profits to the same office belonging during the pleasure of the Recorder of the borough aforesaid for the time being.

And because the dignity of that place is wholly lost, when whatever conduces to decorum is not observed, therefore we will, and by these presents do ordain that the Mayor of the borough aforesaid for the time being, vested in the Mayor's robe, and the Aldermen, Assistants, and Common Council of the same Borough for the time being, dressed in the robes designating their offices respectively, shall on Sundays, feast days and solemn days repair to Church from the mansion house of that Mayor within the same borough to hear divine service celebrated in the same church, and that the Serjeants at mace of the borough aforesaid for the time being, together with the other officers of the same borough be attending on the same Mayor, each Serjeant at mace bearing in presence of the same Mayor a silver or gilt mace, carved and ornamented with the device of our arms.

And further we will, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the borough aforesaid and to their successors that henceforth for ever it may and shall be lawful for the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, and the rest of the Burgesses of the Borough aforesaid (except below excepted) or the greater part of them, as often as the matter shall require it some one or any one of the Aldermen, Assistants and Common Council, and any Recorder of the same Borough above by these presents constituted, or by force of these presents in future in the form in these presents above specified to be elected, for ill-behaving himself in his office of Alderman, Assistant, Common Council [or] Recorder of the Borough aforesaid, or for other just and reasonable cause, to remove from the same his office.

We will also, and by these presents do ordain, that in any election of officer or minister within the Borough aforesaid henceforth to be made in which the Mayor of the same Borough for the time being shall have a vote,

and the voters in their votes are equally divided, then the Mayor shall in that case have a double vote, and in nominations and elections whatsoever within the Borough aforesaid henceforth to be made, in which the Free Burgesses of the Commonalty of the same Borough have votes; so that faction and division among the voters, as far as can be done, may be removed, and lest an unworthy or unfitting person be preferred as an officer or minister within the Borough aforesaid by favour, without merit, we will further, and by these presents do declare, that no Free Burgess of the Borough aforesaid who at the time of such nomination or election made, should use the trade of baker, alehousekeeper, brewer, [or] butcher, or hold and keep a common inn, tavern or alehouse, or serve as chamberlain, drawer in a common inn, tavern or alehouse, or in any other manner, or shall serve another in any trade for wages, or be not a householder* within the Borough aforesaid, and not pay scot and lot there, or be lawfully convicted of felony, adultery, fornication, drunkenness or profanation of the most Holy Name of God by frequent oaths, or of other crime whereof by the laws and statutes of this our kingdom of England there is constituted a punishment for the guilty, or doth live by alms, shall henceforth have a vote in any such nomination or election in any way.

And for the better governance of the borough aforesaid we have now nominated, created, constituted, and made, and by these presents for us, our heirs and successors, do nominate, create, constitute and make our beloved Daniel Cole the elder, now being a Bailiff and Free Burgess of the Borough aforesaid, to become and be the first and new Mayor, and our beloved John Marshall, Sigismund Sewell, Henry Barrington, Thomas Wade, John Langley, Robert Buxton, Thomas Reynold, Ralph Harrison, and John Furley, now being Free Burgesses of the Borough aforesaid the first and new nine other Aldermen, our beloved John Eldred, Robert Talcott, Lawrence Browne, Robert Legg, William King, Samuel Seamer, John Coxe, Thomas Laurence the elder, John Shawe, Nicholas Baker, John Waylett, Stephen Thurston, William Burchall, George Harrison, Thomas Laurence the younger, and Benjamin Johns, now being Free Burgesses of the Borough aforesaid, the first and new sixteen Assistants, our beloved William Pelham, William Bond, William Cooke, Richard Wringe, Gregory Jennor, Nathaniel Strixon, William Hamond, Christopher Bayles, James Abrathat, Richard Shellito, Robert Wynnyff, Nicholas Beacon, William Johnson, Joshua Willmott, William Vicars and John Hughes, now in like manner being Free Burgesses of the Borough aforesaid, the first and new sixteen of the Common Council, our dearly beloved cousin and Councillor Henry, Earl of Holland, the

[*The Latin word is "*Paterfamilias*." I.H.J.]

first and new High Steward, and our beloved Richard Aske, Esquire, being a man honest, skilled in the law and fitting, the first and new Recorder of the Borough aforesaid, willing that the aforesaid Daniel Cole shall be and continue Mayor of the Borough aforesaid henceforth until the feast of the Decollation of St. John the Baptist which shall be in the year of our Lord one thousand six hundred and thirty six, and from thence until some other shall be elected, preferred and sworn to that office in due manner, according to the ordinance and provision in these presents above thereof declared, if the same Daniel shall so long live, and after his mayoralty aforesaid is finished, he shall be and continue one of the Aldermen of the Borough aforesaid, next in order after the aforesaid Sigismund Sewell during his natural life, unless in the meantime in the form and for the cause above-mentioned he shall be amoved from the office of Alderman of the same Borough.

And further, we will, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same borough and to their successors, that if it shall happen that the Mayor of the borough aforesaid for the time being be kept back by infirmity, or be engaged in the service of us, our heirs or successors, outside the borough aforesaid, so that he cannot attend to the necessary businesses of that borough touching the office of Mayor of the same borough, or for any other reasonable cause should depart from that borough, that then and so often it may and shall be rightfully lawful for the same Mayor to put and constitute in his place one good and discreet man out of the Aldermen of the borough aforesaid for the time being to become and be his deputy during his infirmity or absence, which indeed deputy so to be put and constituted, before he is admitted to exercise the office of Deputy-Mayor within the borough aforesaid, shall take his corporal oath before the Aldermen of the borough aforesaid for the time being, or as many of the same Aldermen as shall wish to be present, for the faithful execution of the same his office. And after that oath so taken he may and can take part in any causes, things, or businesses in any way touching the borough aforesaid, and do and execute all and singular those things to be done which do pertain to the office of Mayor of the borough aforesaid, to all purposes, and in as ample manner and form as the Mayor himself, during such infirmity or absence of that Mayor so being infirm or absent.

And so from time to time, as often as the case shall so happen, for ever.

We will also, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same borough and to their successors, that if it shall happen that the Recorder of the borough

aforesaid for the time being shall be kept back by infirmity or be engaged in the service of us our heirs or successors outside the Borough aforesaid, or be otherwise occupied so that he cannot attend to the necessary businesses of that Borough touching the office of Recorder of the same Borough, that then and so often as it may and shall be rightly lawful for the same Recorder to put and constitute in his place a man good, skilled in the law, and suitable to become and to be his deputy during his infirmity or his absence, which indeed deputy so to be placed and constituted, before he is admitted to exercise the office of Deputy-Recorder within the Borough aforesaid, shall take his corporal oath before the Mayor and Aldermen of the Borough aforesaid for the time being, or the greater part of them (of whom we will the Mayor of the same Borough for the time being to be one) for the faithful execution of the same his office. And after that oath so taken, that he can and may do and execute all and singular those things which do pertain to the office of Recorder of the Borough aforesaid to be done, in as ample manner and form as the Recorder himself, during such infirmity or absence of that Recorder so infirm or absent. And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents, for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same Borough and to their successors, that it may and shall be lawful for the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, or the greater part of the same (of whom we will the Mayor of the same Borough for the time being to be one) together with the Recorder of that Borough, or his deputy lawfully constituted, to make, draw up and ordain a suitable form of oath, or suitable forms of oaths by all the officers and ministers of the Borough aforesaid, and the deputies aforesaid from time to time respectively to be taken, and that and those forms, so made, drawn up and ordained, to cause to be administered to the same officers, ministers and deputies respectively, from time to time in form aforesaid, and this without any further commission or warrant from us, our heirs or successors to be procured or obtained in that behalf.

We will moreover, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same Borough and to their successors, that the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, or the greater part of the same (of whom we will the Mayor of the same Borough for the time being to be one), may have, and from time to time henceforth for ever shall have, full power and authority to meet in the common hall of the

Borough aforesaid, and there to have assemblies, and in those assemblies so had, to make, draw up, constitute, ordain and establish good, wholesome, honest, useful, necessary, and reasonable laws, constitutions, ordinances and provisions according to their sound discretions for the good rule and government of the Borough aforesaid, and of all and singular officers, ministers, artificers, inhabitants and residents within that borough, and the bounds, limits, and precinct of the same, and of others to the borough aforesaid resorting, and for a declaration in what manner and order the same Mayor, Aldermen, Assistants, and Common Council, and all and singular officers and ministers of the borough aforesaid, shall behave and hold themselves within the borough aforesaid, and the bounds, limits, and precinct of the same on Sundays and solemn feasts for the greater comeliness of that borough, also how the same Mayor, Aldermen, Assistants, Common Council, officers, and ministers, and all and singular Burgesses, artificers, inhabitants and residents of the Borough aforesaid, shall at all future times whatsoever hold and dispose themselves in their offices, ministries, functions or handiworks within that Borough, and the bounds, limits and precinct of the same, for the public good and common utility of the said Borough. And also for the victualling of the same Borough, also for other causes and matters whatsoever touching, or in any way concerning, that Borough, and duly to put in operation the same laws, constitutions, ordinances and provisions so made, constituted, ordained, and established, which indeed laws, constitutions, ordinances, and provisions we will also to be observed under such pains and penalties by imprisonment of the body, or by reasonable fines and amercements, or of both of them, in the same laws, constitutions, ordinances, and provisions to be contained, in and upon delinquents against the same laws to be imposed as shall seem to the same Mayor, Aldermen, Assistants and Common Council, or the greater part of the same (of whom we will the Mayor of the Borough aforesaid for the time being to be one), necessary to be imposed for the better observance of those laws, constitutions, ordinances and provisions, and that they can and may levy, perceive and have those fines and amercements so imposed to the use of the Mayor and Commonalty of the Borough aforesaid without the impediment of us, our heirs or successors, or of any officer or minister of us, our heirs or successors, and without any account to us our heirs or successors therefore to be rendered, so nevertheless that those laws, constitutions, ordinances, and provisions, and the pains and penalties in the same to be contained, be not against the laws, statutes or customs of our kingdom of England. And that full and speedy justice may be the better applied within the Borough aforesaid to all our subjects there residing and thither resorting according to the exigency of the law, we will further and by these presents do ordain that the Mayor and Recorder of the Borough aforesaid, and their deputies for the

time being, and that Alderman who was last Mayor of the same Borough, also two other Aldermen in accustomed manner yearly to be elected, may and shall be our justices, and each of them be and shall be the justice of us, our heirs and successors, within the same Borough, liberties and precinct of the same to be preserved and kept, also to keep the statutes and ordinances at Winchester, Northampton and Westminster for the preservation of the peace of the same, and to keep the statutes and ordinances there and at Cambridge concerning hunters, workmen, artificers, servitors, hostillars, mendicants, vagabonds, and other mendicant men who call themselves travelling men. And also a certain other statute passed in the parliament of the Lord Henry late King of England the fifth, held at Westminster aforesaid, concerning the counterfeiting, clipping, washing and other falsifying of the money of our land, also all other ordinances and statutes made, and to be made, for the good of the peace of us our heirs and successors and for the quiet rule and governance of the people of us our heirs and successors in all and singular their articles within the Borough aforesaid the liberties and precinct of the same, according to the force, form and effect of the same to keep, and to chastise and punish all those whom they shall find offending against the form of the ordinances and statutes aforesaid, according to those ordinances and statutes, and also to cause all those who shall make threats to any of the people of us or our heirs and successors concerning their bodies, or concerning the burning of their houses, to find a sufficient security for peace and their good behaviour towards us and the people of us, our heirs and successors, in their presence. And if they shall refuse to find such security, then to cause them to be safely kept in the prison of us our heirs and successors of the Borough aforesaid until they shall find such security.

And further that they or any three of them (of whom we will the Mayor and Recorder of the borough aforesaid, or their deputies for the time being, to be two), shall have full power and authority from henceforth for ever to enquire by the oath of good and lawful men of the borough aforesaid, the liberties and precinct of the same, by whom the truth of the matter may be the better known, concerning all manner of felonies, trespasses, forstallers, regraters, and extortions within the borough aforesaid, liberties and precinct of the same, by whomsoever and in any way whatsoever done or perpetrated and which henceforth should happen to be there done. And also concerning all and singular other things within the borough aforesaid, liberties and precinct of the same, in any way whatsoever done, attempted, or perpetrated, and which henceforth should happen to be there done, attempted, or perpetrated, whereof by the keepers of the peace of us our heirs or successors and the justices of

us our heirs and successors assigned or to be assigned, to enquire concerning such felonies, trespasses and misdeeds in any county of our kingdom of England by virtue of the ordinances and statutes aforesaid, or of other ordinances or statutes before these times done, or in future to be done, according to the force and effect of the letters of us, our heirs and successors, to them thereof made and to be made, ought and doth use and will ought to be enquired and all and singular the premises and other things whatsoever within the borough aforesaid liberties and precinct of the same done, attempted, or perpetrated, or henceforth to be done, attempted, or perpetrated, which by such the keepers of the peace of us, our heirs and successors, and the justices of us, our heirs and successors, assigned and to be assigned to hear and determine such felonies, trespasses, and misdeeds in any county of our kingdom of England by virtue of the ordinances and statutes aforesaid, and of our letters aforesaid, ought and do use, and will ought to be discussed and determined by that Mayor, Recorder, and his Deputies, and the aforesaid three Aldermen of the borough aforesaid, or any three of them (of whom we will the Mayor and Recorder of the borough aforesaid, or their Deputies for the time being, to be two), to hear and determine according to the law and custom of our kingdom of England and the form of the ordinances and statutes aforesaid.

So that all writs, precepts, and other warrants for performing the premises, and each of the premises, be directed to the Ministers of the borough aforesaid, and by them to be executed without any writ, precept, or warrant in any wise directed to the Sheriff or Coroners of us, our heirs and successors, of the county of Essex.

So also that the keepers of the peace of us, our heirs and successors, assigned or to be assigned to hear and determine such felonies, trespasses, and misdeeds in the county of Essex done or perpetrated, or to be done or perpetrated, shall not enter the borough aforesaid, the liberties or precincts of the same, to do anything which doth pertain to such keepers of the peace or justices, nor shall any one of them enter nor intrude themselves there in aught, nor any one of them intrude in any manner.

We will also that each of the aforesaid Mayor and Recorder of the Borough aforesaid and of their deputies, and of the aforesaid three Aldermen of the same Borough for the time being, before he is admitted to exercise the office of justice of the peace within that Borough shall take his corporal oath upon the Holy Gospel of God, according to the laws and statutes of our kingdom of England in such case provided, well and faithfully to exercise the office of justice of the peace within the Borough aforesaid, liberties and

precinct of the same, that is to say, the Mayor and his deputy, and the aforesaid three Aldermen, in presence of the Recorder aforesaid or his deputy, and the Recorder and his deputy in presence of the Mayor or his deputy for the time being; to which indeed Mayor and Recorder and their deputies, we do give and grant by these presents full power and authority to administer such oath so as is aforesaid without any further warrant or commission from us our heirs or successors to be procured or obtained in that behalf. And in the Borough aforesaid lest anything should be admitted whereby the Burgesses of that Borough fall into vice, or disturbance of our peace should be brought into that Borough, we will that the justices to keep the peace in the Borough aforesaid for the time being shall not henceforth permit any person to sell within that Borough, beer hopped or not hopped without lawful licence in that behalf first had and obtained, nor rashly and unadvisedly grant licence to such one. And if they do grant it, yet the same licence so granted shall be put in writing and be subscribed by the hands of two of the justices aforesaid (of whom we will the Mayor of the borough aforesaid for the time being to be one) otherwise that licence shall be void.

And further we will, and by these presents for us our heirs and successors do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that henceforth for ever it may and shall be rightfully lawful for the Mayor and Recorder of the Borough aforesaid, and their deputies, and the aforesaid three Aldermen of the same Borough for the time being, or any three of them (of whom we will the Mayor and Recorder of that Borough or their deputies for the time being to be two), each year at the four terms of the year according to the form of the statute therefor provided, in the aforesaid Common Hall of the Borough aforesaid, or in any other convenient place within the same Borough, liberties and precinct of the same, to have, hold, and keep sessions of the peace concerning all things, matters, causes and offences within the said Borough, liberties or precinct of the same happening, touching, arising, done or perpetrated, and all and singular matters in the same sessions of peace to do and execute in as ample manner and form as the justices of the peace in the aforesaid County of Essex at the sessions of the peace held for that county do and execute, or can and may do and execute.

We will moreover, and by these presents for us our heirs and successors do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid and to their successors, that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have henceforth for ever the cognizances of all pleas, as well real as personal and mixed, and of other

pleas whatsoever of lands and tenements being within the Borough aforesaid, liberties and precinct of the same, and also of pleas of assizes, of novel disseisin, mort d'ancestor, redisseisins, attaints and certificates, also of pleas of debt, covenant, detinue, account, trespass and other pleas whatsoever within the borough aforesaid, liberties and precinct of the same arising or to arise, moved or to be moved in whatsoever our courts, that is to say, before us, our heirs and successors, and before us in the chancery of us, our heirs or successors in their Chancery or before the Treasurer and Barons of the Exchequer of us our heirs and successors, our justices of the Common Bench, and the justices of us our heirs and successors assigned to take any assizes, juries and certificates, and other our justices and officers whomsoever.

And that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may hold and determine all such pleas before them in the aforesaid Common Hall of the Borough aforesaid, and may duly execute what is therefore due to be rendered. And that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have and hold the court of us our heirs and successors in the aforesaid Common Hall before the Mayor, or his deputy for the time being, each week on Mondays and Thursdays. And that the same Mayor and Recorder, or their deputies and their successors, shall hold all such pleas, that is to say personal, in the court aforesaid by plaint before the Mayor and Recorder or their deputies in that court to be levied and affirmed, and to cause to be arrested and attached the persons against whom such plaint shall happen to be prosecuted or moved in the said court by process of law by their bodies, and their goods and chattels within the Borough aforesaid, liberties and precinct of the same, and cause their bodies to be committed to prison. And to hold all other pleas of lands and tenements in the court aforesaid on Monday, from fortnight to fortnight, and all the pleas above said, and the pleas of our court of piepowder there, to hear and determine; and that they may for ever give judgments thereof, and cause to be done the executions thereof, in the same manner and form and process as in the same Borough before these times they were accustomed to hear, determine and prosecute.

And moreover we will, and by these presents for us our heirs and successors do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that they have henceforth for ever cognizance of pleas of debts and injuries arising within the Borough aforesaid, and the precinct of the same, pertaining to the jurisdiction of our Admiral of England, and power and authority to hold a court within the Borough aforesaid before the Mayor of the Borough aforesaid or his deputy for the time being each

Thursday in each week for ever, concerning the same pleas, also may and can hear those pleas in the same court, and by due process of law bring to judgment and determine, and thereof to cause executions to be made.

So nevertheless that our Admiral of England, or his lieutenant or deputy in the Borough aforesaid, liberties or precinct of the same may enter, and concerning those debts and injuries and of all other things which do concern the Admiralty can and may intrude himself as often as he will, notwithstanding.

And whereas the bridges within the Borough aforesaid, and the precinct of the same, are so ruined and broken that great danger may easily happen to man passing over those bridges, and considering what an expense it will be to the Men and Free Burgesses of the same Borough (who ought and are accustomed to repair and support the bridges aforesaid) to repair and support those bridges, we do of our fuller grace, certain knowledge and mere motion further will, and by these presents, for us our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that they may have and shall have from our subjects foreign from the liberty of the Borough aforesaid, passing over the bridges aforesaid with a cart or wagon, or with a horse laden, pontage, that is to say, for each cart or wagon laden fourpence, for each horse laden with a pack of wool two pence, for each horse laden with half a pack of wool one penny, and for each packhorse laden one half-penny, to last for fourteen years, from the Feast of the Nativity of St. John the Baptist last past. And if any such foreigner shall refuse to pay the pontage aforesaid, it shall be lawful for the same Mayor and Commonalty, and their successors, to restrain such person refusing from passing over, or, if he shall have passed over, to levy the pontage from the cart, wagon or horse with which he shall cross.

And whereas the lord Edward, late King of England the Second, by his Letters Patent made under his Great Seal of England, bearing date at York in the twelfth year of his reign, did grant to the Burgesses of the Borough aforesaid that the same Burgesses and their successors might for ever have in that Borough one fair each year to last for eight days, that is to say, on the vigil and on the day of St. Dennis, and for six days following, unless that fair were to the annoyance of the neighbouring fairs; and we from the representation of divers trustworthy Burgesses of the Borough aforesaid have understood that it will be for the good of the same Borough if the fair aforesaid, granted in the form aforesaid, be reduced to four days only. Therefore we will, and by these presents for us our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same Borough, and to

their successors, that they may have in the same Borough a fair each year for four days only, that is to say, on the vigil and on the day of St. Dennis, and to last for two days then next following, unless that fair be to the annoyance of neighbouring fairs.

And further we will, and by these presents for us our heirs and successors do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that no one being a foreigner from the liberty of the Borough aforesaid shall henceforth use any trade, occupation or manual art within that Borough, liberties, or precinct of the same, nor shall buy or sell within the Borough aforesaid, or the precinct of the same (except in the fairs at the time of those fairs), any goods or wares except victuals, by parcels or retail unless one party contracting be of the liberty of that Borough. And when any one foreign from the liberty of the Borough aforesaid who hath bought of such other foreigner, or hath sold to him any goods or wares besides victuals within that Borough, or the precinct of the same (except in the fairs at the time of those fairs), other than in gross, from time whereof the memory of man runneth not to the contrary, those goods and wares they were used and accustomed to forfeit, and the chief officers or officer of the same Borough for the time being by himself, or his Ministers of that Borough, or in default of the same chief officers, or of the same chief officer, any persons or person of the liberty of the borough aforesaid, being present from the whole time aforesaid, were used and accustomed those goods and wares so forfeited to seize into their hands, and by good and lawful men of the liberty of the same Borough to cause to be appraised, and those things so seized and appraised to detain and to dispose and convert to the use of the whole Commonalty of the same Borough, without any account to us or our ancestors late Kings and Queens of England before this thereof made, unless he who did forfeit them made redemption thereof by the price of the same.

We, approving and in all things holding established and agreeable that custom, prescription, and liberty, do for us, our heirs and successors, ratify, and by these presents fully confirm, the same to the aforesaid Mayor and Commonalty of the borough aforesaid, willing that whatsoever shall henceforth be received for the common utility of the whole Commonalty of the Borough aforesaid, according to the custom from the time whereof memory runneth not, used and approved in that Borough; shall be safely laid up, and that the common treasure of the same borough so laid up be not converted to private uses, but be expended for the public weal of that Borough, and not otherwise.

And lest the limits and bounds of the Borough aforesaid, and of the wards of the same (although now sufficiently known), yet may, by the progress

of time, vanish from the fleeting memory of men, whence strifes and discords may arise, we will and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that it may and shall be lawful for the same Mayor and Commonalty, and their successors, yearly, henceforth for ever, to make perambulation of the borough and wards aforesaid, and of the limits and precinct of the same, by placing, erecting, and as often as shall be necessary renewing, metes and bounds in necessary places, that thus certain knowledge of those limits and bounds may be for ever retained

And further, by these presents, for us our heirs and successors, we do ratify and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, all and singular so many, such, the same, such, and the like hamlets, commons, pastures, marts, markets, court of piepowder, views of frankpledge and other courts, returns of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharfs, quays, tronage, tolls, goods and chattels of felons, of felons of themselves, of outlaws, waifs, and howsoever convicted and condemned, deodands, estrays, fines, amercements, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, quittances and exemptions whatsoever, how many, how great, of what sort, and which, the men and free burgesses of the borough aforesaid now lawfully do have, hold, enjoy or use, or how many, how great, of what sort, and which any of them or their predecessors, Burgesses of the borough aforesaid, by whatsoever name, or whatsoever names, or by whatsoever incorporation they were known or incorporated, before this had, held, enjoyed, or used, or ought to have, hold, enjoy, or use, to them and to their successors by reason or virtue of any Charters or Letters Patent by any of our progenitors, or of our ancestors, late Kings or Queens of England, before this made, granted, or confirmed, or in any other lawful manner, right, title, custom, prescription, or use, before this lawfully used, had, or accustomed (except all and singular these presents in any way contrary, or in any Charter of grant or confirmation of any of our progenitors or ancestors before this excepted), to have, hold, and enjoy, to the same Mayor and Commonalty of the borough aforesaid, and to their successors for ever, to the sole and proper use and behoof of the same Mayor and Commonalty, under the ancient farm therefore to us accustomed to be rendered; willing that the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, may have, hold, enjoy, and use for ever, all and singular the hamlets, commons, pastures, fairs, markets, court of piepowder, views of frankpledge, and other courts, return of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharfs, quays,

tronage, toll, goods and chattels of felons, felons of themselves, outlaws, waifs, and howsoever convicted and condemned, deodands, estrays, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, acquittances, and those exemptions (except before excepted), according to the true intention of these presents, without let or hindrance of us, our heirs or successors, of the Justices, Sheriffs, Bailiffs, Officers and Ministers of us, our heirs or successors whomsoever; willing moreover that the same Mayor and Commonalty, or their successors, or any of them, or any of the Justices, Officers or Ministers of us, our heirs or successors, of the borough aforesaid, of or for debt, use, claim, or abuse of any of the liberties, franchises, or jurisdictions aforesaid before this made, shall not be impeded or molested, nor compelled in any way to answer those things, or any of them.

Although express mention of the true yearly value, or of any other value, or of the certainty of the premises, or of any of them, or of other gifts or grants by us, or by any of our progenitors, to the aforesaid Men and Free Burgesses of the Borough aforesaid before these times made, be not made in these presents; or any statute, act, ordinance, provision, proclamation, or restriction to the contrary thereof before this issued, made, ordained, or provided or provided, or any other thing, cause, or matter whatsoever in anything notwithstanding.

In witness whereof we have caused to be made these our letters patent myself.

Witness at Canbury the ninth day of July, in the eleventh year of our reign.

By Writ of Privy Seal.

(Patent Roll, II. Charles I., p. 9, No. 3).

[NOTE.—The foregoing Translation was collated with the original Charter by MR. ISAAC H. JEAYES, of the British Museum].

Borough of



Colchester.

Charter of 15 Charles II.

3RD AUGUST, 1663.

Charles the Second, by the grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c., to all to whom the present Letters shall come, greeting.

Whereas the Borough of Colchester, in our County of Essex, is one of the most ancient Boroughs of our Kingdom of England, and stands situated near to the sea coasts in resistance of our enemies wishing to invade the same kingdom.

And whereas the same borough is broad and populous, containing in itself four wards, and is inhabited principally by burgesses industriously exercising the cloth manufacture and merchandise.

And whereas the burgesses of the same Borough, as well by reason of divers Charters and Letters Patent by divers of our progenitors and ancestors, late Kings and Queens of England, to them and to their predecessors before this made and granted, as of prescriptions and customs from time to the contrary whereof the memory of man runneth not, in the same borough used, have used and enjoyed divers liberties, franchises, privileges, immunities, and acquittances.

And whereas also the Lord Richard the First, late King of England, by his Letters Patent, sealed with his Great Seal of England, bearing date the sixth day of December, in the first year of his reign, granted to the Burgesses of the Borough aforesaid that they might appoint, from amongst themselves, whomsoever bailiffs they would.

And the Lord Edward the Fourth, late King of England, by his Letters Patent, sealed with his Great Seal of England, bearing date at Westminster, in our County of Middlesex, the first day of March, in the first year of his reign, granted to the Bailiffs and Burgesses of the same Borough that they and their successors, Burgesses of that Borough, should from that time thenceforth of two Bailiffs and one Commonalty, be one body perpetual, and one Commonalty perpetual in deed and in name,

and have perpetual succession; and that the same Bailiffs and Commonalty and their successors should be called for ever the Bailiffs and Commonalty of the Borough of Colchester, as by the same Letters Patent (among other things) it is more fully clear and apparent.

And whereas moreover the Bailiffs and Burgesses of the borough aforesaid, before the incorporation aforesaid, and the Bailiffs and Commonalty of the same borough, after that incorporation made in form aforesaid, have shown themselves grateful to our progenitors and ancestors, late Kings and Queens of England, in very many laudable services, also the same Bailiffs and Commonalty have lately willingly and eagerly offered their fealty in our businesses.

We therefore, considering the premises, and seriously regarding the good of the borough aforesaid, and of our people there dwelling, and willing and providing by our greatest study and care that the same our people dwelling in that borough, as is shown, should be maintained in handicrafts and such methods of living, and cheerfully to mind that they be encouraged by our munificence and favour, and that there should be continually had in the borough aforesaid one certain and undoubted method for preserving our peace within the same borough, and for well governing and regularly disposing our people dwelling there, and others thither resorting, by which the same our peace shall in future times be the better preserved inviolate, and that the other acts of justice and good government within the borough aforesaid be rightly administered and executed, and that that borough should be and henceforth for ever remain a borough and vill of peace and quietness, to the terror of the bad, the punishment of delinquents, and reward of the good, hoping that if the Burgesses of the borough aforesaid and their successors should be able to enjoy from our grant fuller liberties and privileges, then they should feel themselves, as well from affection, as obedience, the more strongly obliged to perform what services they can to us, our heirs and successors, of our special grace, and of our certain knowledge and mere motion, will, and have declared, and by these presents, for us our heirs and successors, do will grant, declare and confirm that the borough aforesaid be henceforth and for ever remain a free borough of itself, bounded by all its ancient and former limits and bounds.

And that the men and Free Burgesses of the borough aforesaid, and the Bailiffs and Commonalty of the same, and their successors, may and shall be in all future times one body corporate and politic in deed, fact, and name,

by the name of the Mayor and Commonalty of the borough of Colchester in the County of Essex.

And we do, for us our heirs and successors, make, create, confirm and declare them, by these presents, by the name of the Mayor and Commonalty of the borough of Colchester in the County of Essex, one body corporate and politic in deed, fact and name, really and fully.

And that by the same name they may have perpetual succession.

And that they by the name of the Mayor and Commonalty of the Borough of Colchester in the County of Essex, may and shall be henceforth for ever persons able and in law capable of holding, taking, acquiring, and possessing manors, lands, tenements, rents, liberties, privileges, jurisdictions, franchises and hereditaments of whatsoever kind, nature, name, or species they may be, to them and to their successors, in fee or perpetuity, or for any terms whatsoever, and also goods and chattels, and whatsoever other things of whatsoever kind, nature, or species they may be; also of giving, granting, demising, assigning and disposing of manors, lands, tenements, hereditaments, goods and chattels; and of doing and executing, by the name aforesaid, all and singular other deeds and matters concerning the borough aforesaid.

And that, by the same name of the Mayor and Commonalty of the borough of Colchester in the county of Essex, they may and can plead and be impleaded, answer and be answered, defend and be defended, in all and singular actions, pleas, suits, complaints, causes, matters and demands, real, personal or mixed, whatsoever, and of what kind soever in whatsoever courts, and before whatsoever judges or justices, or other officers and ministers of us our heirs and successors, moved or to be moved, in the same manner and form as any others our lieges of our kingdom of England, persons able and in law capable, or any other body corporate and politic within our kingdom of England might and could have, take, acquire, possess, give, grant, demise, assign, or dispose of, or plead and be impleaded, answer and be answered, defend and be defended, do or execute.

And that the Mayor and Commonalty of the borough aforesaid and their successors may have for ever a common seal to serve for their causes and matters in any way concerning the borough aforesaid.

And that it may and shall be rightfully lawful for the same Mayor and Commonalty and their successors at their pleasure from time to time to break, change, and made anew that seal, as it shall seem expedient to them.

And further we will, and by these presents, for us, our heirs and successors, do declare, that henceforth for ever there may and shall be within the borough aforesaid, of the free Burgesses of that borough in the form in these presents below mentioned, nominated and elected, that is to say, one who shall be called the Mayor, eleven others who shall be called Aldermen, eighteen others who shall be called Assistants, and eighteen others who shall be called the Common Council of the same borough.

Which indeed Mayor shall in like manner remain an Alderman of the Borough aforesaid.

And which indeed eleven Aldermen, eighteen Assistants, and eighteen of the Common Council of the borough aforesaid shall be, from time to time, advising and assisting the Mayor of the same borough for the time being in all causes, matters and businesses touching, or in any manner concerning, that borough.

And further we will, and by these presents, for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the same borough and their successors, that henceforth yearly for ever, to wit, on the Monday which shall first happen after the Feast of the Decollation of St. John the Baptist, it may and shall be lawful, as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being, or the greater part of the same (except as below excepted), to nominate two of the Aldermen of the same borough for the time being, as for the Mayor of the borough aforesaid for the time being, and the rest of the same Aldermen or the greater part of them, after that nomination made, to elect one, from the same Aldermen so nominated, as Mayor of the borough aforesaid. And that he who shall be so elected as Mayor of the borough aforesaid, after that election made, and before he is admitted to execute the office of Mayor, to wit, on the Feast day of St. Michael the Archangel next following after such election, shall take his corporal oath, before the last Mayor of the borough aforesaid for the time being, the predecessor of that Mayor elect, the rest of the Aldermen, the Assistants and Common Council of that borough for the time being, or as many of them as then wished to be present, of whom we will that the said last Mayor, if he be surviving and willing to be present, shall be one, to execute his office of Mayor of the borough aforesaid rightly and faithfully in all things touching that office.

And after that oath so taken that he may and can execute the office of Mayor of the borough aforesaid for one entire year then next

following, and from thence until another shall be duly elected, preferred and sworn to that office.

And so from year to year each year for ever.

And as often as anyone elected Mayor of the Borough aforesaid shall die, or refuse to take up the office of Mayor of the same borough, before he shall have taken such oath, we will that a similar nomination and election shall be made afresh, and that he who is newly elected, shall, having taken the oath as before, execute the office of Mayor of the same borough in form aforesaid.

And if it shall happen that the Mayor of the borough aforesaid for the time being should at any time within one year after he shall have been so as aforesaid elected, preferred and sworn to the office of Mayor of that borough, die, we will and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that after the death of such Mayor, to wit, at a time suitable, fitting, and not protracted by unnecessary suspensions, it may and shall be rightly lawful, as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted), or the greater part of the same, to nominate two of the Aldermen of the borough aforesaid, surviving the said Mayor in form aforesaid, as for the rest of the same Aldermen, or the greater part of them after that nomination made, one of the same Aldermen so nominated as Mayor of that borough in the place and office of such Mayor so dead, to elect, prefer, and swear.

And that he so elected, preferred and sworn as Mayor of the borough aforesaid shall have and exercise that office during the remainder of the same year, and thenceforth until another one shall be duly elected, preferred, and sworn to that office in form aforesaid.

And in the meantime the Alderman first in order after the Mayor aforesaid so dead (the mayoralty being vacant) shall be the officiating Mayor within the borough aforesaid.

And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents do declare, that each of the Aldermen aforesaid in the form in these presents below to be elected, after he is elected an Alderman of the borough aforesaid, and before he is

admitted to exercise the office of Alderman of the same borough within that borough, shall take his corporal oath before the Mayor, the rest of the Aldermen, the Assistants, and the Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of whom we will the Mayor of the borough aforesaid for the time being to be one, rightly and faithfully to execute the office of Alderman of the same borough in all things touching or concerning that office.

And after such oath so taken we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that the same so sworn may exercise and use the office of Alderman of the same borough during his natural life, unless in the meantime he shall be removed from that office in the form and from the cause below mentioned.

And if it shall happen that any one of the aforesaid Aldermen of the borough aforesaid either by these presents constituted, or by virtue of these presents henceforth to be elected, should die or be removed from his office of Alderman of the same borough, that after the death or removal of such Alderman, to wit, at a time suitable, fitting, and not protracted by unnecessary suspensions, it may and shall be rightly lawful, as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted) or the greater part of the same, to name two of the Assistants of the same borough for the time being (provided neither of them should exercise the trade of an alehouse-keeper or brewer), as for the Mayor, the rest of the Aldermen then surviving, the rest of the Assistants not named, and the Common Council of the borough aforesaid for the time being, or the greater part of the same, after that nomination made, to elect and prefer one of the same Assistants so named, as Alderman of that borough, in the place and office of such Alderman so dead or removed, to supply the aforesaid number of Aldermen of the borough aforesaid.

And this from time to time, as often as the case shall so happen, for ever.

We will also, and by these presents [declare], that each of the Assistants aforesaid in the form in these presents below to be elected, after he is elected an Assistant of the borough aforesaid, and before he is admitted to exercise the office of Assistant of the same borough within that borough, shall take his corporal oath before the Mayor, Aldermen, the rest of the Assistants and the Common Council of the borough aforesaid for the time being, or as many

of them as wished to be present, of whom we will the Mayor of the borough aforesaid for the time being to be one, rightly and faithfully to execute the office of Assistant of the same borough in all things touching or concerning that office. And after such oath so taken, we will and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, that the same so sworn may exercise and use the office of Assistant of the same borough during his natural life, unless in the meantime he shall be elected and preferred as one of the Aldermen of the borough aforesaid, or in the form, and from the cause below mentioned, shall be removed from that office. And if it shall happen that any one of the aforesaid Assistants of the borough aforesaid, either by these presents below constituted, or by force of these presents henceforth to be elected, shall die, or be removed from his office of Assistant of the same borough, that after the death or removal of such Assistant, to wit, at a time suitable, fitting, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted), or the greater part of the same, to elect and prefer one of the aforesaid eighteen of the Common Council of the borough aforesaid for the time being as Assistant of that borough in the place and office of such Assistant so dead or removed, to supply the aforesaid number of Assistants of the borough aforesaid.

And this from time to time, as often as the case shall so happen, for ever.

We will moreover, and by these presents do declare, that each one of the Common Council of the borough aforesaid, in the form in these presents below to be elected, after he is elected one of the Common Council of that borough, and before he is admitted to exercise the office of one of the Common Council of the same borough within that borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and the rest of the Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of whom we will the Mayor of the said borough to be one, rightly and faithfully to execute the office of one of the Common Council of the same borough in all things touching or concerning that office. And after such oath so taken, we will and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that the same so sworn may exercise and use the office of one of the Common Council of the same borough during his natural life, unless in the meantime he shall be

elected and preferred to be one of the Assistants of the borough aforesaid, or be removed from that office, in the form and from the cause below mentioned. And if it shall happen that any one of the Common Council of the borough aforesaid, either by these presents below constituted, or by force of these presents in future to be elected, shall die, or be removed from his office of Common Council of the same borough, that after the death or removal of such of the Common Council, to wit, at a time fitting, suitable, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful as well for the Free Burgesses of the Commonalty of the borough aforesaid for the time being (except as below excepted), or the greater part of the same, to name two fitting men of the more honest and discreet of the Free Burgesses of the Commonalty of the same borough, as for the Mayor, Aldermen, Assistants and the rest of the Common Council of the borough aforesaid for the time being, or the greater part of them, after that nomination made, to elect and prefer one of the same two men so named as one of the Common Council of that borough in the place of such of the Common Council of the said borough so dead or removed, to supply the aforesaid number of eighteen of the Common Council of the same borough.

And this in like manner, from time to time, as often as the case shall so happen for ever.

We will moreover, and by these presents, for us our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that if any one who in future shall be elected in due manner to the office of Mayor, Alderman, Assistant, and Common Council, or to any other office within the borough aforesaid, being a member of the body of the borough aforesaid, so as is aforesaid corporate, and participating in the liberty of the same, and having notice of such his election, shall refuse to exercise the same office to which he shall be so elected, that then, and so often, it may and shall be rightfully lawful for the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or the greater part of them, to impose a reasonable fine or amercement upon each one so refusing for such his refusal, and if any one so refusing shall decline to pay the fine or amercement upon him so imposed, then and so often, to commit each one so declining to any our *prison within the borough aforesaid, and there to detain in prison until he pay, or cause to be paid, that fine or amercement.

And further we will, and by these presents do ordain, that henceforth for ever there may and shall be in the borough aforesaid a High

[*The scribe has written "*persone*" evidently for "*prison*." I.H.J.]

Steward to advise and direct the Mayor and Commonalty of the same borough in the chief businesses touching that borough. Which indeed High Steward shall continue in the office of High Steward of the borough aforesaid during his natural life, unless in the meantime he shall relinquish that office of his own free will. And if it shall happen that any High Steward of the borough aforesaid, either by these presents below constituted, or by force of these presents in future to be elected, shall die or resign the office of High Steward of the same borough, we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that after the death or resignation of such High Steward, to wit, at a time fitting, suitable, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful for the Mayor, Aldermen, Assistants, Common Council and Free Burgesses of the Commonalty of the borough aforesaid for the time being (except before excepted), or the greater part of the same, to choose and prefer one other as High Steward of the borough aforesaid, in the place of such High Steward so dead or resigning.

And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid and to their successors, that henceforth for ever they may and shall have in the borough aforesaid a man of probity, and skilled in the law, and fitting, in the form in these presents below specified to be elected, who shall be called the Recorder of the borough aforesaid, to advise and direct the Mayor and Commonalty of the same borough in whatsoever businesses touching that borough, and to do and execute, by himself or his sufficient deputy, all other things which do pertain to the office of Recorder within that borough. And that the same Recorder so to be elected, after he is elected as Recorder of the borough aforesaid, and before he is admitted to exercise the office of Recorder within that borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present (of whom we will the Mayor of that borough for the time being to be one), rightly and faithfully to execute the office of Recorder of the same borough in all things touching or concerning that office. And that after such oath so taken, he may exercise and use the office of Recorder of that borough by himself or his sufficient deputy within the same borough, during his natural life, unless in the meantime of his

own free will he shall resign the same office, or be amoved from that office in the form and from the cause below mentioned.

And if it shall happen that any Recorder of the borough aforesaid, either by these presents below constituted, or by force of these presents in future to be elected, shall die, or resign the office of Recorder of the borough aforesaid, or be removed from that office, we will, and by these presents, for us our heirs and successors, do further grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that after the death, resignation, or removal of such Recorder, to wit, at a time fitting, suitable, and not protracted by unnecessary suspensions, it may and shall be rightfully lawful for the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, and the other Burgesses of the borough aforesaid (except below excepted), or the greater part of the same, to elect and prefer one other man of probity, skilled in the law, and fitting, as Recorder of that borough in the place of such Recorder so dead, resigning, or removed.

And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us our heirs and successors do ordain, that henceforth for ever there may and shall be within the borough aforesaid, a man of probity and honest, who shall be called the Common Clerk of the same borough, to be nominated by the Recorder of the borough aforesaid for the time being, which indeed Common Clerk of the borough aforesaid, by himself or by his sufficient deputy, shall write and make all and singular recognizances before the Mayor of the borough aforesaid, or any other Justice assigned to keep the peace within the same borough for the time being to be taken and acknowledged, and the same so taken and acknowledged shall transcribe and put upon parchment, and whatsoever laws, ordinances, constitutions, and provisions by the Mayor, Aldermen, Assistants, and Common Council of the same borough for the time being, or the greater part of the same, in their assemblies within the same borough for the good rule and government of that borough henceforth to be granted, ordained, or done; also all processes and acts of court at the sessions of peace to be held for the borough aforesaid within that borough. And also all actions, plaints, pleas, processes and acts of court in whatsoever other courts within the borough aforesaid to be held, shall make, write, register, and enrol. And shall write and make all writings, deeds, charters, and muniments concerning the Mayor and Commonalty of the borough aforesaid, and their successors in right of the aforesaid body politic so as aforesaid corporate, and shall well and faithfully do and execute all other

things which pertain to the office of Common Clerk of the borough aforesaid. And that the same Common Clerk of the borough aforesaid, after he is named Common Clerk of the borough aforesaid, and before he is admitted to exercise the office of Common Clerk of the same borough within that borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or as many of them as shall wish to be present, of whom we will the Mayor of that borough for the time being to be one, rightly and faithfully to execute the office of Common Clerk of the same borough in all things touching or concerning that office. And that after such oath so taken he may exercise and use the office of Common Clerk of the borough aforesaid, by himself or by his sufficient deputy. And may receive and have all singular fees, rewards and profits to the same office belonging during the pleasure of the Recorder of the borough aforesaid for the time being.

And because the dignity of that place is wholly lost when whatsoever conduces to decorum is not observed, therefore we will, and by these presents do ordain, that the Mayor of the borough for the time being, clad in the Mayor's robe, and the Aldermen, Assistants, and Common Council of the same Borough for the time being, dressed in the robes designating their offices respectively, shall on Sundays, feast days and solemn days repair to Church from the mansion house of that Mayor within the same borough, to hear divine service celebrated in the same church, and that the Serjeants at mace of the borough aforesaid for the time being, together with the other officers of the same borough be attending on the same Mayor, each Serjeant at mace bearing before the same Mayor a silver or gilt mace, carved and ornamented with the device of our arms.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that henceforth for ever it may and shall be lawful for the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, and the rest of the Burgesses of the Borough aforesaid (except below excepted), or the greater part of them, each as often as the matter shall require it, to remove from the same his office, or any one of the Aldermen, Assistants and Common Council, and any Recorder of the same Borough above by these presents constituted, or by force of these presents in future in the form in these presents above specified to be elected, for ill-behaving himself in his office of Alderman, Assistant, Common Council or Recorder of the Borough aforesaid, or for other just and reasonable cause.

We will also, and by these presents do ordain, that in any election of officer or minister within the Borough aforesaid henceforth to be made in which the Mayor of the same Borough for the time being may have a vote, and the voters in their votes are equally divided, the Mayor may in that case have a double vote, and in nominations and elections whatsoever within the Borough aforesaid henceforth to be made, in which the Free Burgesses of the Commonalty of the same Borough may have votes; so that faction and division among the voters, as far as can be done, may be removed, and lest an unworthy or unfitting person be preferred as an officer or minister within the Borough aforesaid by favour, without merit.

We will further, and by these presents do declare, that no Free Burgess of the Borough aforesaid who at the time of such nomination and election to be made, should use the mystery of baker, alehousekeeper, brewer, or butcher, or hold and keep a common inn, tavern or alehouse, or serve as chamberlain, drawer, or in any other manner, in a common inn, tavern or alehouse, or serve another in any mystery for hire, or be not a householder within the Borough aforesaid, and not pay scot and lot there, or be lawfully convicted of felony, adultery, fornication, drunkenness or profanation of the most Holy Name of God, of frequent oaths, or other crime whereof by the laws and statutes of our kingdom of England there is constituted a punishment for the guilty, or lives by alms, may have a vote in any such nomination or election in any way.

And for the better governance of the borough aforesaid we have now nominated, created, constituted, and made, and by these presents for us, our heirs and successors, do nominate, create, constitute and make our beloved Thomas Rennolds, now being a Free Burgess of the Borough aforesaid, to become and be the first and new Mayor, and our beloved Thomas Talcott, Esquire, Thomas Reynolds, Andrew Fromantell, Henry Lamb, John Brazier, William Moore, Stephen Emmanus, Robert Legg, Ralph Cresfield the younger, Thomas Wade and Robert Savill, now being Free Burgesses of the borough aforesaid, the first and new eleven other Aldermen. And our beloved Gabriel Hindmersh, Thomas Radhams, Antony Smith, John Lambe, Richard Busher, Robert Smith, John Robinson, Thomas Ruse, William Flanner, John Mearidale, James Bond, Thomas Tanno, John Beacon, Christopher Bayles, John Woodruff, Samuel Greate, Jonathan Merry, and Thomas Portler, now being Free Burgesses of the borough aforesaid, the first and new eighteen Assistants. And our beloved Andrew Fromantell the younger, Jonas Whale, John Rayner, Samuel Alderton, William Hall, George Hamond, Thomas

Harvey, Robert Carr, Richard Daniell, William Abbott, Richard Stone, William Sandford, Richard Boys, Robert Morfee, James Aylett, Matthew Scrivener, Alexander Hindmersh, and William Bond, now in like manner being Free Burgesses of the borough aforesaid, the first and new eighteen of the Common Council.

And our dearly beloved and faithful Sir Harbottle Grimston, Baronet, Master of the Rolls in our Court of Chancery, the first and new High Steward.

And our beloved and faithful Sir John Shaw, Knight, being a man honest, skilled in the law and fitting, the first and new Recorder of the Borough aforesaid.

Willing that the aforesaid Thomas Rennolds shall be and continue Mayor of the Borough aforesaid henceforth until the feast of the Decollation of St. John the Baptist next following, and from thence until some other shall be elected, preferred and sworn to that office in due manner, according to the ordinance and provision in these presents above thereof declared, if the same Thomas Rennolds shall so long live, and after his mayoralty aforesaid is finished, he shall be and continue one of the Aldermen of the Borough aforesaid, next in order after the aforesaid Thomas Rennolds during his natural life, unless in the meantime in the form and from the cause above-mentioned he shall be amoved from the office of Alderman of the same Borough.

And further, we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same borough and to their successors, that if it shall happen that the Mayor of the borough aforesaid for the time being be kept back by infirmity, or be engaged in the service of us, our heirs or successors, outside the borough aforesaid, so that he cannot attend to the necessary businesses of that borough touching the office of Mayor of the same borough, or for any other reasonable cause should depart from that borough, that then and so often it may and shall be rightfully lawful for the same Mayor to put and constitute in his place a good and discreet man out of the Aldermen of the borough aforesaid for the time being to become and be his deputy during his infirmity or absence, which indeed deputy so to be put and constituted, before he is admitted to exercise the office of Deputy-Mayor within the borough aforesaid, shall take his corporal oath before the Aldermen of the borough aforesaid for the time being, or as many of the same Aldermen as shall wish to be present, for the faithful execution of the same his office. And after that oath so taken he can and may be present in any causes, matters or things, in any way touching the borough aforesaid, and do and execute all and singular those things which pertain to the office

of Mayor of the borough aforesaid, to all purposes, and in as ample manner and form as the Mayor himself, during such infirmity or absence of that Mayor so being infirm or absent.

And so from time to time, as often as the case shall so happen, for ever.

We will also, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same borough and to their successors, that if it shall happen that the Recorder of the borough aforesaid for the time being shall be kept back by infirmity, or be engaged in the service of us our heirs or successors outside the Borough aforesaid, or be otherwise occupied so that he cannot attend to the necessary businesses of that Borough touching the office of Recorder of the same Borough, that then and so often it may and shall be rightly lawful for the same Recorder to put and constitute in his place a man good and skilled in the law, and suitable to become and be his deputy during his infirmity or his absence, which indeed deputy so to be placed and constituted, before he is admitted to exercise the office of Deputy-Recorder within the Borough aforesaid, shall take his corporal oath before the Mayor and Aldermen of the Borough aforesaid for the time being, or the greater part of them (of whom we will the Mayor of the same Borough for the time being to be one) for the faithful execution of the same his office. And after that oath so taken, that he can and may do and execute all and singular things to be done which do pertain to the office of Recorder of the Borough aforesaid, in as ample manner and form as the Recorder himself, during such infirmity or absence of that Recorder so infirm or absent. And this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents, for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same Borough and to their successors, that it may and shall be lawful for the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, or the greater part of the same (of whom we will the Mayor of the same Borough for the time being to be one), together with the Recorder of that Borough, or his deputy lawfully constituted, to make, draw up and ordain a suitable form or forms of oath or oaths by all the officers and ministers of the Borough aforesaid, and the deputies aforesaid from time to time respectively to be taken, and that or those forms, so made, drawn up and ordained, to cause to be administered to the same officers, ministers and deputies respectively, from time to time in form aforesaid, and

this without any further commission or warrant from us, our heirs or successors to be procured or obtained in that behalf.

We will moreover, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same Borough and to their successors, that the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, or the greater part of the same (of whom we will the Mayor of the same Borough for the time being to be one), may have, and from time to time henceforth for ever shall have, full power and authority to meet in the common hall of the Borough aforesaid, and there to have assemblies, and in those assemblies so had, to make, produce, draw up, constitute, ordain and establish good, wholesome, honest, useful, necessary, and reasonable laws, constitutions, ordinances and provisions according to their sound discretions for the good rule and government of the Borough aforesaid, and of all and singular officers, ministers, artificers, inhabitants and residents within that borough, and the bounds, limits, and precinct of the same, and of others to the borough aforesaid resorting, and for a declaration in what manner and order the same Mayor, Aldermen, Assistants, and Common Council, and all and singular officers and ministers of the borough aforesaid, shall behave and hold themselves within the borough aforesaid, and the bounds, limits, and precinct of the same on Sundays, feasts, and solemn days for the greater decorum of that borough, also how the same Mayor, Aldermen, Assistants, Common Council, officers, and ministers, and all and singular Burgesses, artificers, inhabitants and residents of the Borough aforesaid, shall at all future times whatsoever have and dispose themselves in their offices, ministries, functions or handiworks within the Borough, and the bounds, limits and precinct of the same, for the public good and common utility of the said Borough. And also for the victualling of the same Borough, also for other causes and matters whatsoever touching or in any wise concerning that Borough, and duly to put in operation the same laws, constitutions, ordinances and provisions so drawn up, constituted, ordained, and established, which laws, constitutions, ordinances, and provisions we will also to be observed under such pains and penalties by imprisonment of the body, or reasonable fines and amercements, or of both of them, in the same laws, constitutions, ordinances, and provisions contained, in and upon delinquents against the same to be imposed as shall seem to the same Mayor, Aldermen, Assistants and Common Council, or the greater part of the same (of whom we will the Mayor of the Borough aforesaid for the time being to be one), necessary to be imposed for the better observance of those laws, constitutions, ordinances and provisions, and that they can and may levy, receive and have those fines and amercements so imposed to the use of the

Mayor and Commonalty of the Borough aforesaid without the impediment of us, our heirs or successors, or any officer or minister of us, our heirs or successors, and without any account to us our heirs or successors therefor to be rendered, so nevertheless that those laws, constitutions, ordinances, and provisions, and the pains and penalties in the same to be contained, be not against the laws, statutes or customs of our kingdom of England. And that full and swift justice may be the better applied within the Borough aforesaid to all our subjects there residing and thither resorting according to the exigency of the law.

We will further, and by these presents do ordain, that the Mayor and Recorder of the Borough aforesaid, and their deputies for the time being, and that Alderman who was last Mayor of the same Borough, also two other Aldermen in accustomed manner yearly to be elected, may and shall be our justices, and each of them be and shall be the justice of us, our heirs and successors, to preserve and keep *[the peace] within the same Borough, liberty and precinct of the same, also to keep the statutes and ordinances at Winchester, Northampton and Westminster for the preservation of the peace of the same, and to keep the statutes and ordinances there and at Cambridge concerning hunters, workmen, artificers, servitors, hostillars, mendicants, vagabonds, and other mendicant men who call themselves travelling men. And also a certain other statute passed in the parliament of the Lord Henry late King of England the fifth, held at Westminster aforesaid, concerning the counterfeiting, clipping, washing and other falsifying of the money of our land, also all other ordinances and statutes made, and to be made, for the good of the peace of us our heirs and successors and for the quiet rule and governance of the people of us our heirs and successors in all and singular their articles within the Borough aforesaid, the liberties and precinct of the same, according to the force, form and effect of the same to be kept, and to chastise and punish all those whom they shall find offending against the form of the ordinances and statutes aforesaid, according to those ordinances and statutes, and also to cause all those who shall make threats to any of the people of us or our heirs and successors concerning their bodies, or concerning the burning of their houses, to find, in their presence, a sufficient security for peace and their good behaviour towards us and the people of us, our heirs and successors. And if they shall refuse to find such security, then to cause them to be safely kept in the prison of us our heirs and successors of the Borough aforesaid until they shall find such security.

[*By a clerical error "*ad pacem*" is here omitted, though in similar clauses in other Charters it appears. I.H.J.]

And further that they or any three of them (of whom we will the Mayor and Recorder of the borough aforesaid, or their deputies for the time being, to be two), shall have full power and authority from henceforth for ever to enquire by the oath of good and lawful men of the borough aforesaid, the liberties and precinct of the same, by whom the truth of the matter may be the better known, concerning all manner of felonies, trespasses, forestallers, regraters, and extortions within the borough aforesaid, liberties and precinct of the same, by whomsoever and in any way whatsoever done or perpetrated, and which henceforth should happen to be there done. And also concerning all and singular other things within the borough aforesaid, liberties and precinct of the same, in any way whatsoever done, attempted, or perpetrated, and which henceforth should happen to be there done, attempted, or perpetrated, whereof by the keepers of the peace of us, our heirs and successors, and the justices us our heirs and successors assigned or to be assigned, to enquire concerning such felonies, trespasses and misdeeds in any county of our kingdom of England by virtue of the ordinances and statutes aforesaid, or of other ordinances or statutes before these times done, or in future to be done, according to the force and effect of the letters of us, our heirs and successors, to them thereof made and to be made, ought and doth use and will ought to be enquired and all and singular the premises and other things whatsoever within the borough aforesaid, liberties, and precinct of the same, done, attempted, or perpetrated, or henceforth to be done, attempted, or perpetrated, which by such the keepers of the peace of us, our heirs and successors, and the justices of us, our heirs and successors, assigned and to be assigned to hear and determine such felonies, trespasses, and misdeeds in any county of our kingdom of England by virtue of the ordinances and statutes aforesaid, and our letters aforesaid, ought and are accustomed, and will have to be discussed and determined by that Mayor, Recorder, and his Deputies, and the aforesaid three Aldermen of the borough aforesaid, or any three of them (of whom we will the Mayor and Recorder of the borough aforesaid, or their Deputies for the time being, to be two), to hear and determine according to the law and custom of our kingdom of England and the form of the ordinances and statutes aforesaid.

So that all writs, precepts, and other warrants for performing the premises, and each of the premises, be directed to the Ministers of the borough aforesaid, and by them be executed without any writ, precept, or warrant in any wise directed to the Sheriff or Coroners of us, our heirs and successors, of the county of Essex.

So also that the keepers of the peace of us, our heirs and successors, assigned or to be assigned to hear and determine such felonies, trespasses, and

misdeeds in the county of Essex done or perpetrated, or to be done or perpetrated, may not enter, nor any of them enter, the borough aforesaid, liberties and precinct of the same, to do anything which doth pertain to such keepers of the peace or justices, nor intrude himself there in aught, nor any one of them intrude in any manner.

We will also that each of the aforesaid Mayor and Recorder of the Borough aforesaid and their deputies, and of the aforesaid three Aldermen of the same Borough for the time being, before he be admitted to exercise the office of justice of the peace within that Borough shall take his corporal oath upon the Holy Gospel of God, according to the laws and statutes of our kingdom of England in such case provided, well and faithfully to exercise the office of justice of the peace within that Borough aforesaid, the liberties and precinct of the same, to wit, the Mayor and his deputy, and the aforesaid three Aldermen, in presence of the Recorder aforesaid or his deputy, and the Recorder and his deputy in presence of the Mayor or his deputy for the time being; to which indeed Mayor and Recorder and their deputies, we do give grant and confirm by these presents full power and authority to administer such oaths as is aforesaid without any further warrant or commission from us our heirs or successors to be procured or obtained in that behalf.

And in the Borough aforesaid lest anything should be admitted whereby the Burgesses of that Borough may fall into vice, or disturbance of our peace should be brought into that Borough, we will that the justices to keep the peace in the Borough aforesaid for the time being may not henceforth permit any person to sell, within that Borough, beer hopped or not hopped without lawful licence in that behalf first had and obtained, nor rashly and unadvisedly grant licence to such one. And if they do grant it, yet the same licence so granted to be put in writing and be subscribed by the hands of two of the justices aforesaid (of whom we will the Mayor of the borough aforesaid for the time being to be one) otherwise that licence to be void.

And further we will, and by these presents for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that henceforth for ever it may and shall be rightly lawful for the Mayor and Recorder of the Borough aforesaid, and their deputies, and the aforesaid three Aldermen of the same Borough for the time being, or any three of them (of whom we will the Mayor and Recorder of that Borough or their deputies for the time being to be two), each year at the four terms of the year according to the form of the statute therefor provided, in the aforesaid Common Hall of the Borough aforesaid, or

in any other convenient place within the same Borough, liberties and precinct of the same, to have, hold, and keep sessions of the peace concerning all things, matters, causes and offences within the said Borough, liberties or precinct of the same happening, touching, arising, done or perpetrated, and all and singular in the same sessions of peace to do and execute in as ample manner and form as the justices of the peace in the aforesaid County of Essex at the sessions of the peace held for that county do and execute, and can and may do and execute.

We will moreover, and by these presents for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid and their successors, that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have henceforth for ever the cognizances of all pleas, as well real as personal and mixed, and of other pleas of whatsoever lands and tenements being within the Borough aforesaid, liberties and precinct of the same, and also of pleas, assizes of novel disseisin, mort d'ancestor, redisseisins, attaints and certificates, also of pleas of debt, covenant, detinue, account, trespass and other pleas whatsoever within the borough aforesaid, liberties and precinct of the same arising or to arise, moved or to be moved in whatsoever our courts, to wit, before us, our heirs and successors, and before us in the chancery of us, our heirs and successors in their Chancery, or before the Treasurer and Barons of the Exchequer of us our heirs and successors, our justices of the Common Bench, and the justices of us our heirs and successors assigned to take any assizes, juries and certificates, and other our justices and officers whomsoever.

And that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, shall hold and determine all such pleas before them in the aforesaid Common Hall of the Borough aforesaid, and shall duly execute what is therefor due. And that the same Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have and hold the court of us our heirs and successors in the aforesaid Common Hall before the Mayor, or his deputy for the time being, each week on Mondays and Thursdays. And that the same Mayor and Recorder, or their deputies and their successors, shall hold all such pleas, to wit personal, in the court aforesaid by plaint before the Mayor and Recorder or their deputies in that court to be levied and affirmed, and to cause to be arrested and attached the persons against whom such plaint shall happen to be prosecuted or moved in the said court by process of law by their bodies, and their their goods and chattels within the Borough aforesaid, liberties and precinct of the same, and cause their bodies to be committed to prison. And to hold

all other pleas of lands and tenements in the court aforesaid on Monday, from fortnight to fortnight, and all the pleas above said, and the pleas of our court of piepowder there, to hear and determine; and the judgments thereof to give, and that they may for ever cause to be done the executions thereof, in the same manner and form and process as in the same Borough before these times they were accustomed to hear, determine and prosecute.

And moreover we will, and by these presents for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that they have henceforth for ever cognizance of pleas of debts and injuries arising within the Borough aforesaid, and the precinct of the same, pertaining to the jurisdiction of our Admiral of England, and power and authority to hold a court within the Borough aforesaid before the Mayor of the Borough aforesaid or his deputy for the time being each Thursday in each week for ever, concerning the same pleas, also may and can hear those pleas in the same court, and by due process of law bring to judgment and determine, and thereof to cause executions to be made.

So nevertheless that our Admiral of England, or his lieutenant or deputy in the Borough aforesaid, the liberties and precinct of the same may enter, and concerning those debts and injuries and of all other things which do concern the Admiralty can and may introduce himself as often as he will, notwithstanding.

Whereas the lord Edward, the late King of England the Second, by his Letters Patent made under his Great Seal of England, bearing date at York in the twelfth year of his reign, granted to the Burgesses of the Borough aforesaid that the same Burgesses and their successors might for ever have in that Borough one fair each year to last for eight days, to wit, on the eve, and on the day, of St. Dennis, and for six days following unless that fair were to the annoyance of the neighbouring fairs; and we from the representation of divers trustworthy Burgesses of the Borough aforesaid have received that it will be for the good of the same Borough if the fair aforesaid, granted in form aforesaid, be reduced to four days only. Therefore we will, and by these presents for us our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same borough, and to their successors, that they may have in the same borough a fair each year for four days only, to wit, on the eve and on the day of St. Dennis, and to last for two days then next following, unless that fair be to the annoyance of neighbouring fairs.

And further we will, and by these presents for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that no one being a foreigner from the liberty of the Borough aforesaid may henceforth use any mystery, occupation or manual art within that borough, liberties, and precinct of the same, nor may buy or sell within the borough aforesaid, or the precinct of the same (except in the fairs at the time of those fairs), any goods or wares except victuals, by parcels or retail unless one contracting party be free of the liberty of that borough. And when any one foreign from the liberty of the borough aforesaid who hath bought of such other foreigner, or sold to him any goods or wares besides victuals within that Borough, or precinct of the same (except in the fairs at the time of those fairs), other than in gross, from time whereof the memory of man runneth not to the contrary, those goods and wares they were used and accustomed to forfeit, and the chief officers or officer of the same borough for the time being by himself, or his Ministers of that borough, or in default of the same chief officers, or of the same chief officer, any persons or person of the liberty of the borough aforesaid, being present from the whole time aforesaid, were used and accustomed to seize those goods and wares so forfeited into their hands, and by good and lawful men of the liberty of the same Borough to cause to be appraised, and those things so seized and appraised to detain and to dispose and convert to the use of the whole Commonalty of the same Borough, without any account to us or our ancestors late Kings and Queens of England before this thereof made, unless he who did forfeit them made redemption thereof by the price of the same.

We have confirmed by these presents being willing that whatsoever shall henceforth be received for the common utility of the whole Commonalty of the borough aforesaid, according to the custom, from time whereof memory runneth not, used and approved in that borough, shall be safely laid up, and that the common treasure of the same borough so laid up be not converted to private uses, but be expended for the public weal of that borough, and not otherwise.

And lest the limits and bounds of the borough aforesaid, and of the wards of the same (even if now sufficiently known), yet may, by the progress of time, vanish from the fleeting memory of men, whence strifes and discords may arise, we will and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that it may and shall be lawful for the same Mayor and Commonalty, and their successors, yearly, henceforth for ever, to make perambulation of the borough and wards aforesaid, and the limits and precinct of the same,

by metes and bounds in necessary places to be put, erected, and as often as shall be necessary renewed, that thus certain knowledge of those limits and bounds may be for ever retained

And further, by these presents, for us our heirs and successors, we do ratify and confirm to the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, all and singular so many, so great, such, the same, of such kind, and the like hamlets, commons, pasture, marts, markets, court of piepowder, views of frankpledge and other courts, returns of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharfs, quays, tronage, tolls, goods and chattels of felons, of felons of themselves, of outlaws, waifs, and howsoever convicted and condemned, deodands, estrays, fines, amercements, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, acquittances and exemptions whatsoever, how many, how great, of what sort, and which, the men and free burgesses of the borough aforesaid now lawfully may have, may hold, enjoy and use, or how many, how great, of what sort, and which any of them or their predecessors, Burgesses of the borough aforesaid, by whatsoever name, or whatsoever names, or by whatsoever incorporation they were known or incorporated, before this had, held, enjoyed, or used, or ought to have had, held, enjoyed, or used, to them and their successors by reason or virtue of any Charters or Letters Patent by any of our progenitors, or of our ancestors, late Kings or Queens of England, before this made, granted, or confirmed, or in any other lawful manner, right, title, custom, prescription, or use, before this lawfully used, had, or accustomed (except all and singular these presents in any way contrary, or in any Charter of grant or confirmation of any our progenitors or ancestors before this excepted), to have, hold, and enjoy to the same Mayor and Commonalty of the borough aforesaid, and their successors for ever, to the sole and proper use and behoof of the same Mayor and Commonalty, under the ancient farm thereof accustomed to be rendered to us; willing that the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, may have, hold, enjoy, and use for ever, all and singular the hamlets, commons, pastures, fairs, markets, court of piepowder, views of frankpledge, and other courts, returns of writs, fisheries, fishings, waters, preservations of waters, banks, rivers, wharfs, quays, tronage, toll, goods and chattels of felons, felons of themselves, outlaws, waifs, and howsoever convicted and condemned, deodands, estrays, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, acquittances, and those exemptions (except before excepted), according to the true intention of these presents, without let or hindrance of us, our heirs or successors, of the Justices, Sheriffs, Bailiffs,

Officers and Ministers of us, our heirs or successors whomsoever; willing moreover that the same Mayor and Commonalty, or their successors, or any of them, or any of the Justices, Officers or Ministers of us, our heirs or successors, of the borough aforesaid, of or for debt, use, claim, or abuse of any of the liberties, franchises, or jurisdictions aforesaid before this made, may not be impeded nor molested, nor compelled in any way to answer to those things, or any of them.

Although express mention of the true yearly value, or of the certainty of the premises, or of any of them, or of other gifts or grants by us, or by any of our progenitors or predecessors to the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid, before these times made, be not made in these presents; or any statute, act, ordinance, provision, proclamation, or restriction to the contrary thereof before this had, made, issued, ordained, or provided, or any other thing, cause, or matter whatsoever in anything notwithstanding.

In witness whereof we have made these our letters patent.

Witness myself at Westminster the third day of August, in the fifteenth year of our reign.

By command of the King, for a fine of twenty marks.

HOWARD.

(Patent Roll, 15, Charters II., p. 19, No. 4).

[NOTE.—The foregoing Translation was collated with the original Charter by MR. ISAAC H. JAYES, of the British Museum].

Borough of



Colchester.

Surrender by the Mayor and Commonalty to Charles II.,

Of their Charters, Letters Patent, &c.,

23RD JUNE, 1684.

To all TO WHOM THESE PRESENTS SHALL COME the Mayor and Commonaltie of the Burrough of Colchester in the County of Essex send Greeting.

Know ye that the said Mayor and Commonalty for good considerations them thereunto moveing have granted, and by the presentes doe grant, unto our most gracious soveraigne, Lord King Charles the second, his heirs and successors, ALL and singular the manors, messuages, landes, tenements, rentes, and hereditaments, with the appurtenances whatsoever, whereof or wherein the said Mayor and Commonalty are now, or at any time heretofore have beene, any ways seized interested or possessed in right of their Corporation, or in their Corporate capacity, by any meanes howsoever.

AND FURTHER for the consideracions aforesaid the said Mayor and Commonalty have granted, surrendered and yielded up, and by these presentes doe grant, surrender and yield up, unto our said soveraigne Lord the Kinge's most excellent Majestye, ALL the franchises, Charters, Letters Patentes of incorporacion, powers, priviledges, libertyes and immunities whatsoever at any time or times heretofore granted, or holden and enjoyed by the said Mayor and Commonalty, or their or any of their predecessors, by any wayes or meanes, or by what name or names soever.

IN WITNESSE whereof the said Mayor and Commonalty have hereunto caused their Common Seale to be affixed the three-and-twentieth day of June, in the six-and-thirtieth yeare of his said Majestye's raigne, and in the year of our Lord, 1684.

AND BE IT REMEMBERED that by the order of the Most Honourable Francis Lord Guilford, keeper of the Great Seal of England in these words to wit (Let it be inrolled 6th day of November, 1684, Guilford, C.S.) the writing aforesaid, word for word, as it is before written, was inrolled the seventh day of November in the year aforesaid.

Inrolled.

Examined.

(Close Roll, 36 Charles II., part 14, No. 20).

Borough of



Colchester.

Charter of 36 Charles II.

8TH NOVEMBER, 1684.

Charles the Second, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c., to all to whom these our Letters Patent shall come, greeting.

Whereas our beloved and faithful subjects the Mayor and Commonalty of our ancient Borough of Colchester, in our County of Essex, by a certain writing of theirs, sealed under their common seal, bearing date the twenty-third of June, in the thirty-sixth year of our reign, for divers good considerations thereto moving them, having granted to us, our heirs and successors, all and singular the manors, messuages, lands, tenements, rents, and hereditaments whatsoever, with their appurtenances, of or in which the aforesaid Mayor and Commonalty were then or at any time before seized, interested, or in possession, by right of their Corporation, or in their corporate capacity, by any means whatsoever.

And further whereas the said Mayor and Commonalty, for the considerations aforesaid, have granted, surrendered, and delivered to us all their franchises, charters, letters patent of incorporation, powers, privileges, liberties, and immunities whatsoever at any time or times heretofore granted to, or held and enjoyed by, the said Mayor and Commonalty, or by any of their predecessors, by any ways or means, or by whatever name or names, as by the aforesaid writing enrolled in the court of our Chancery of record is more fully plain and apparent.

And whereas after the grant and surrender to us made as is aforesaid, the aforesaid Burgesses of our Borough of Colchester aforesaid, have humbly besought us that we, by our Letters Patent under our great seal of England, would be graciously pleased to corporate, and to make a body corporate, the Burgesses of the ancient Borough of Colchester aforesaid, into one corporate body to last for ever, in such a way as should be pleasing to us, and to give and grant to them thus incorporated, and to their successors

for ever, all and singular the manors, messuages, lands, tenements, rents, hereditaments, franchises, liberties, privileges, and immunities whatsoever, which they the aforesaid Mayor and Commonalty of the Borough of Colchester, by the before-recited writing, sealed under their common seal, have granted, surrendered, and delivered to us.

We therefore, consenting to the petition of our beloved subjects, the Burgesses of our ancient Borough of Colchester aforesaid, of our special grace, and of our certain knowledge and mere motion do give and grant, that the Borough of Colchester aforesaid may be and remain a free borough of itself, terminated by all its ancient and former limits and bounds.

And that the Inhabitants and Free Burgesses of the borough aforesaid, and their successors, in future times for ever, may, and shall be, one body corporate and politic in deed, fact, and name, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, and we do, for us, our heirs and successors, make, create, ordain, confirm and declare them, by these presents, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, one body corporate and politic in deed, fact, and name, in reality and fulness.

And that by the same name they may have perpetual succession.

And that they by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, may, and shall be henceforth for ever, persons able, and in law capable, to have, take, acquire, and possess the manors, lands, tenements, rents, liberties, privileges, jurisdictions, franchises, and hereditaments of whatever kind, nature, or species, to themselves and their successors, in fee and perpetuity, whether for term or terms of years whatsoever. And also the goods and chattels, and whatsoever other things, of whatever kind, nature, or species they may be. Also to give, grant, demise, assign, and dispose the manors, lands, tenements, hereditaments, goods and chattels, and to do and execute all and singular the other deeds and things concerning the aforesaid borough, by the name aforesaid.

And that, by the same name of the Mayor and Commonalty of the Borough of Colchester in the county of Essex, they can and may plead and be impleaded, answer and be answered, defend and be defended, in all and singular the actions, pleas, suits, complaints, causes, matters and demands, real, personal or mixed, whatsoever, and of whatever kind in whatever courts, and before whatever judges or justices, or other officers and ministers of us our heirs and successors, moved or to be moved, in the same way and form as any

other our lieges of our kingdom of England, persons able and in law capable, or any other corporate and politic body within our kingdom of England may and can have, take, acquire, give, grant, demise, assign, or dispose, or plead and be impleaded, answer and be answered, defend or be defended, do or execute.

And that the Mayor and Commonalty of the Borough aforesaid and their successors may have a common seal to serve for their causes and businesses in any way concerning the borough aforesaid.

And that it may and shall be well lawful for the same Mayor and Commonalty, and their successors, to break, alter, and make anew that seal, at their will, as it shall seem expedient to them.

And we will and declare, and for ourselves, our heirs and successors, give and grant, that henceforth for ever there may and shall be within the borough aforesaid, of the free Burgesses of that borough, in form mentioned lower down in these presents, to be nominated and elected, one who shall be called the Mayor, twelve with the aforesaid Mayor who shall be called the Aldermen, fifteen others who shall be called the Assistants, and fifteen others who shall be called the Common Council of the same borough. And which indeed Aldermen, Assistants, and Common Council of the borough aforesaid, from time to time shall be advising and aiding the Mayor aforesaid for the time being in all causes, matters, and businesses touching, or in way concerning that borough.

And further we will and declare and by those presents ordain, that henceforth for ever there may and shall be in the borough aforesaid a High Steward to counsel and direct the Mayor and Commonalty of the same borough in the principal businesses touching that borough.

And further we will, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that henceforth for ever they may and shall have in the borough aforesaid a man, good and fit, who shall be called Recorder of the borough aforesaid, both to counsel and direct the Mayor and Commonalty of the same borough in any businesses touching that borough, and to do and execute all other things which pertain to the office of Recorder within that borough, by himself or by his sufficient deputy.

And further we will, and by these presents for us our heirs and successors ordain, that henceforth for ever there may and shall be within the

borough aforesaid, a man honest and upright, who shall be called the Common Clerk of the same borough, to be nominated by the Recorder of the borough aforesaid for the time being, which indeed Common Clerk, by himself or by his sufficient deputy, shall write and make all and singular the recognizances to be taken and acknowledged before the Mayor of the borough aforesaid, or any other Justice appointed to keep the peace within the same borough for the time being; and shall transcribe and reduce them to parchment thus taken and acknowledged, and whatsoever laws, ordinances, constitutions, and provisions henceforth to be granted, ordained, or made by the Mayor, Aldermen, Assistants, and Common Council of the same borough for the time being, or the greater part of the same, in their Councils within the same borough for the good rule and government of that borough. Also shall make, write, annotate and enrol all processes and acts of court at the sessions of peace for the aforesaid borough to be held within that borough. And also all actions, complaints, pleas, processes and acts of court in whatever other courts within the aforesaid borough to be held.

And also shall write and make all writings, charters, and muniments concerning the Mayor and Commonalty of the aforesaid borough, and their successors, in the right of their aforesaid body politic thus as is aforesaid incorporated. And shall cause to be done well and faithfully and shall execute all other things which pertain to the office of Common Clerk of the aforesaid borough.

And further, we will, and for us, our heirs and successors do create, constitute, and make our beloved subject, John Stilleman, one of the Burgesses of the aforesaid borough, to become and be the first and new Mayor of the aforesaid borough, which indeed John Stilleman shall be and continue the Mayor of the borough aforesaid up to the Feast of St. Michael the Archangel, next following, and from that time until some other fit person from the Aldermen shall be elected and sworn, if the same John Stilleman so long shall live, in such manner as is mentioned below in these Letters Patent.

And further, for the better rule of the borough aforesaid, for us, our heirs and successors, we do nominate, create, constitute, and make our beloved Thomas Talcott, Henry Lambe, William Moore, Ralph Cresfield, William Flanner, John Rayner, Nathaniel Laurence, Thomas Greene, Samuel Mot, Alexander Hindmers, William Boyes, and the aforesaid John Stilleman, now being free Burgesses of the aforesaid borough, the first and new Aldermen of the aforesaid borough. And our beloved Thomas Ruse, John Beacon, William Walker, John Seabrooke, Edward Lock, Henry Churchman,

William Cater, Richard Boyes, Benjamin Cock, Thomas Loveney, John Potter, Joseph Thurstone, Henry Lambe, junior, Stephen Nagg, and Thomas Lambe, now being free Burgesses of the borough aforesaid, the first and new Assistants. And our beloved Richard Hawksbee, John Edlin, Samuel Angier, Jasper Waters, John Stone, John Maynard, Richard Walker, Allen Garrard, John Scolden, John Prior, William Francis, Simon Hayward, William Bowler, Ralph Cresfeild, junior, and Thomas Earle, now in like manner being free Burgesses of the aforesaid borough, the first and new men of the Common Council of the aforesaid borough. And our very beloved and faithful cousin and Councillor Alberic de Vere, Earl of Oxford, the first and new High Steward, and our very dear cousin and Councillor Christopher, Duke of Albemarle, the first and new Recorder of the borough aforesaid.

And further we will and grant for us, our heirs and successors that on the Monday next after the Feast of the Beheading of St. John Baptist, next following, and so on each Monday next after the Feast of the beheading of St. John, Baptist, henceforth for ever, it shall be well lawful, for the Assistants and Members of the Common Council aforesaid or the greater part of the same to nominate two of the Aldermen of the same borough for the time being, who within six months at least before such nomination should have received the Holy Eucharist according to the form by law prescribed in the English Church, and to present their names to the then Mayor and to the rest of the Aldermen then present, which indeed Mayor and the rest of the Aldermen then present or the greater part of the same shall elect one out of the same two Aldermen thus nominated, as Mayor of the aforesaid Borough, and that he who shall have thus been elected Mayor of the aforesaid Borough after that election made, and before he be admitted to execute the office of Mayor, namely on the Feast of St. Michael the Archangel next ensuing shall take the oath of Allegiance and Supremacy, and the oath mentioned in the Act made for the good government and regulation of Corporations in the 13th year of our reign, together with the Oath of the Mayor for the due execution of his office of Mayor aforesaid, and also shall subscribe the declaration prescribed and mentioned in the aforesaid Act for the good government and regulation of Corporations, which indeed several oaths and subscription, we, by these our Letters Patent direct and require and give and grant power and authority to the Mayor and Aldermen of the Borough aforesaid or the greater part of the same in the court of the Mayor and Aldermen to give, administer and require.

And after those oaths taken and that subscription made so as is aforesaid, he can and may execute the Office of Mayor of the Borough aforesaid for one whole year then next following, and from that time until another

who within six months at least before his nomination should have received the Holy Eucharist in form aforesaid shall be duly elected, preferred and sworn to that office.

And thus these things shall be observed from year to year, each year for ever, and as often as he who shall have been elected Mayor of the Borough aforesaid shall die, or shall have refused to undertake the office of Mayor of the same borough, or shall have been removed.

We will also and by these presents declare that a similar nomination and election be made as in these presents is before just mentioned, and that the person newly elected, the Holy Eucharist having been received by him in form aforesaid, and the oaths and subscription as before taken and made by him, he may execute the office of Mayor of the same borough in form aforesaid. And if it shall happen that any Mayor of the borough aforesaid die in his Mayoralty or be removed from the office of his Mayoralty, then and in such case, until some other fit person who should have received the Holy Eucharist in form aforesaid shall have been elected Mayor of the Borough aforesaid, and shall take the several oaths aforesaid, and shall make the subscription in form aforesaid, and shall have been admitted to the office of Mayor aforesaid, he who shall be the chief Alderman of the Borough aforesaid for the time being, the Mayoralty being vacant, within the Borough aforesaid, may and can execute the office of Mayor aforesaid. And thus these things shall be observed from time to time as often as the case shall so arise for ever.

And further we will, and by these presents for us our heirs and successors grant, that if it shall happen that any one of the aforesaid Aldermen of the Borough aforesaid before constituted or by virtue of these presents hereafter to be elected, die or be removed from his office of Alderman of the same Borough that then, after the death or removal of such Alderman, to wit at a suitable and fitting time and so soon as may be convenient, it may and shall be well lawful for the aforesaid Assistants and Members of the Common Council or the greater part of the same for the time being to nominate two from the Assistants of the same Borough for the time being, (provided neither of them exercise the mystery of an Innkeeper or Brewer, who should have received the Holy Eucharist within six months at least before in form aforesaid and to present their names to the Mayor and Aldermen of the Borough aforesaid, which indeed Mayor and the rest of the Aldermen at that time surviving or the greater part of the same (of whom we will the Mayor of the Borough aforesaid for the time being to be one) may elect and prefer one of the same Assistants so nominated and presented to them, as is

aforesaid, to be an Alderman of that Borough in the place and office of such Alderman thus dead or removed, which indeed Alderman so elected before his admission to the office aforesaid shall take the several oaths aforesaid mentioned in the Act aforesaid, together with the Oath of the Aldermen of the Borough aforesaid, and shall subscribe the Declaration aforesaid in the Act aforesaid in like manner mentioned, in such manner as is mentioned above in these our letters patent. And these things shall be observed from time to time as often as the case shall happen for ever.

We will also, and by these presents for us, our heirs and successors, give and grant, that when it shall happen that any one of the aforesaid Assistants of the borough aforesaid, or hereafter to be elected, by virtue of these presents, die, or be removed from his office of Assistant of the same borough, then, and in such case, after the death or removal of such Assistant, to wit, at a suitable and fitting time, and as quickly as may be convenient, it may and shall be well lawful for the rest of the Assistants, and for the members of the Common Council of the borough aforesaid, for the time being, or for the greater part of the same, to nominate two from the Common Council of the borough aforesaid, for the time being, who should have received within six months at least before such presentation, the Holy Eucharist, according to the form prescribed by law in the English Church, to be an Assistant of that borough, in the place and office of such Assistant thus dead or removed, and to present their names to the Mayor and Aldermen of the borough aforesaid. Which indeed Mayor and Aldermen of the borough aforesaid, or the greater part of the same, of whom we will the Mayor of the borough aforesaid for the time being to be one, may elect and prefer one from the same two persons thus presented to them as is aforesaid, into the place and office of such Assistant so dead or removed. Which indeed person so elected, before his admission among the Assistants aforesaid, shall take the several oaths mentioned in the aforesaid Act, and the oath of the Assistants of the borough aforesaid, and shall subscribe the declaration aforesaid, in such manner as above in these our Letters Patent is mentioned.

And these things shall be observed from time to time, as often as the case shall arise, for ever.

And further we will, and by these presents for us, our heirs and successors, do give and grant, that when it shall happen that any one of the aforesaid Common Council of the borough aforesaid, or to be elected in the future by virtue of these presents, die, or be removed from his office of one of the Common Council of the borough aforesaid, after the death or removal

of such one of the Common Council, to wit, at a suitable and fitting time, and as quickly as shall be convenient, it may and shall be well lawful for the rest of the members of the Common Council, and the aforesaid Assistants of the borough aforesaid, or the greater part of the same, to present to the Mayor and Aldermen of the borough aforesaid the names of two discreet Burgesses, of the borough aforesaid, of honest life and conversation, and who within six months at least before such presentation, should have received the Holy Eucharist according to the form appointed by law in the English Church, out of which two, they, the aforesaid Mayor and Aldermen, or the greater part of the same, of whom we will the Mayor of the borough aforesaid, for the time being, to be one, shall elect one to be one of the Common Council of the borough aforesaid, which indeed person so elected, before his admission to the place or office of one of the Common Council of the borough aforesaid, shall take the several oaths aforesaid mentioned in the Act aforesaid, together with the oath of one of the Common Council of the borough aforesaid, and shall subscribe the declaration aforesaid in such manner as is mentioned above in these our Letters Patent.

And these things shall be observed from time to time, as often as the case shall arise, for ever.

We will moreover, and by these presents, for us our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, that if any one who hereafter shall be elected to the office of Mayor, Alderman, Assistant, or member of the Common Council of the borough aforesaid, or to any other office within the borough aforesaid, in due manner, and in form aforesaid, being a member of the body of the borough aforesaid, so as is aforesaid corporate, and participating in the liberty of the same, and having notice of such his election, shall refuse to take the several oaths aforesaid, as is prescribed for such persons respectively to take, and to subscribe the aforesaid declaration, or after the taking of the several oaths, and after subscription of the aforesaid declaration shall refuse to exercise the same office to which he shall have been elected, that then, and so often, it may and shall be well lawful for the Mayor, Aldermen, and Common Council of the borough aforesaid for the time being, or the greater part of them, to impose a reasonable fine on anyone so refusing.

And further we will and by these presents for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty, and their successors that, when it shall happen that the aforesaid High Steward of the Borough aforesaid, or one hereafter to be elected by these presents die

or be removed or resign his office of High Steward of the same Borough, after the death, removal or resignation of such High Steward, to wit, at a suitable and fitting time and as quickly as may be convenient, it may and shall be well lawful to the Mayor, Aldermen, Assistants and Common Council for the time being or for the greater part of the same, to elect and prefer one other High Steward of the Borough aforesaid in the place of such High Steward so dead or resigning, who within six months at least before such election should have received the Holy Eucharist according to the form prescribed in the English Church, and who before his admission into the office aforesaid shall take the several oaths of Allegiance and Supremacy, and the oath mentioned in the Act for the good government and regulation of Corporations, and shall also subscribe the declaration prescribed and mentioned in the aforesaid Act for the government and regulation of Corporations. And these things shall be observed from time to time as often as the case shall arise for ever.

And further we will, and for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty and their successors that, when it shall happen that the said Recorder of the Borough aforesaid, or one by these presents hereafter to be elected, die or be removed or resign his office of Recorder aforesaid, after the death, removal or resignation of such Recorder, to wit, at a suitable and fitting time, and so quickly as may be convenient it may be and shall be well lawful for the Mayor, Aldermen, Assistants, and Common Council of the Borough aforesaid for the time being or for the greater part of the same to elect and prefer one other man, honest, upright, and fit to be Recorder of that Borough in place of such Recorder so dead, resigning or removed, who within six months at least before such election should have received the Holy Eucharist according to the form prescribed in the English Church, and who before his admission into the office aforesaid shall take the several oaths of Allegiance and Supremacy, and the oath mentioned in the Act for the government and regulation of Corporations. And these things shall be observed from time to time as often as the case shall arise for ever.

And further, we will and grant, that all and singular the Officers and Justices of the Peace of the borough aforesaid, in these presents nominated and constituted, or hereafter to be elected, shall continue in their respective offices during such time as within the space of seven years now last past was accustomed within the borough aforesaid, subject however to the regulations in these presents mentioned.

And further, we will and grant that the Common Clerk aforesaid, to be nominated by the Recorder aforesaid as Common Clerk aforesaid, shall be a

person who, within six months at least before such presentation has received the Holy Eucharist, according to the form prescribed by law in the English Church, and that he shall take the several oaths of allegiance and supremacy, and the aforesaid oath in the said Act for the good government and regulation of Corporations, together with the oath of the Common Clerk of the borough aforesaid, and also shall subscribe the declaration in the aforesaid Act mentioned, which indeed several oaths so having been taken, and the subscription made, such Common Clerk, by himself or his sufficient deputy, may exercise, enjoy, and use the office of Common Clerk aforesaid, together with all pledges, fees, rewards, and profits belonging to the same office, during the goodwill of the Recorder of the borough aforesaid for the time being.

And further we will, and for us our heirs and successors, we give and grant to the aforesaid Mayor and Commonalty, and their successors, that the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid, for the time being, or the greater part of the same, whereof we will the Mayor, or his deputy for the time being, to be one, from time to time, and at all times hereafter, to nominate and elect all other officers and ministers whatsoever to serve within the borough aforesaid.

And because the dignity of that place is altogether lost where that which shall conduce to decorum is not observed, therefore we will, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, that the Mayor of the borough aforesaid, for the time being, cloaked in the mayoral robe, and the Aldermen, Assistants, and Common Council of the same borough, for the time being, clad in robes designating their respective offices, shall on Sundays, feast days, and solemn days repair to church, from the mansion house of the same Mayor, within the same borough, to hear divine service celebrated in the same church, and that the Serjeants at mace of the borough aforesaid, for the time being, together with the other Officers of the same borough, be in attendance on the same Mayor, each Serjeant at mace carrying a silver or gilt mace, engraven and ornamented with the emblem of our arms, and in presence of the same Mayor for the time being.

We will further, and for us, our heirs and successors, do give and grant, that in each election of Officer or Minister within the borough aforesaid, hereafter to be made, in which the Mayor of the same borough for the time being has a vote, and the voters in their votes are equally divided, then the Mayor may have in that case a double vote.

And further, we will, and for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, that if it shall happen that the Mayor of the borough aforesaid for the time being be kept away by infirmities, or be engaged in the service of us, our heirs or successors, outside the borough aforesaid, so that he cannot attend to the necessary businesses of that borough touching the office of Mayor of the same borough, or for any other reasonable cause be gone out of that borough, that then and so often it may and shall be well lawful for the same Mayor to place and appoint one upright and discreet man from the Aldermen of the borough aforesaid, for the time being, who, within six months at least before such appointment should have received the Holy Eucharist, in form aforesaid, to become and be his deputy during his infirmity or absence, which indeed deputy so to be placed and appointed before he be admitted to execute the office of Deputy-Mayor within the borough aforesaid, shall take the several oaths heretofore mentioned for the Mayor to take, and shall subscribe the before-mentioned declaration, and after those oaths so taken and subscription made, may, and can take part in whatsoever causes, things, or businesses in any way touching the borough aforesaid, and cause to be done and execute all and singular those things which pertain to the office of Mayor of the borough aforesaid, to all purposes, and in as ample manner and form, during the infirmity or absence of the Mayor thus infirm or absent, as the Mayor himself can and may do.

And thus from time to time, as often as it shall so happen, for ever.

We will also, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same borough and their successors, that if it shall happen that the Recorder of the borough aforesaid for the time being be kept away by infirmity, or in the service of us our heirs or successors be engaged outside the Borough aforesaid, or should be otherwise occupied so that he cannot attend to the necessary businesses of the Borough touching the office of Recorder of that Borough, that then and so often it may and shall be well lawful for the same Recorder to place and appoint in his place a man upright, skilled in the laws, and fit, who within six months at least before such appointment should have received the Holy Eucharist in form aforesaid, to become and be his Deputy during his infirmity or absence, which indeed Deputy so to be placed and appointed, before he be admitted to exercise the office of Deputy Recorder within the Borough aforesaid, shall take the several oaths before mentioned for the Recorder to take, and shall subscribe the before-mentioned declaration, and after those oaths so as aforesaid taken, and subscription

made he can and may do and execute during such infirmity or absence of the Recorder himself thus infirm or absent, all and singular those things which pertain to the Office of Recorder of the Borough aforesaid, to be done in as ample manner and form as the Recorder himself can and may do.

And this from time to time, as often as the case shall happen, for ever.

And further we will, and for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid and their successors, that it may and shall be lawful for the Mayor, Aldermen, and Recorder or, in the infirmity or absence of the Mayor and Recorder, the Deputy-Mayor and Deputy Recorder in form aforesaid to be appointed, or for the greater part of the same (whereof we will the Mayor and Recorder or their Deputies to be two) to make, draw up, and ordain a form or forms of oath or oaths fit to be taken from time to time respectively by each of the Officers and Ministers of the Borough aforesaid and by the Deputy-Mayor and Deputy-Recorder of the Borough aforesaid.

And further we constitute and appoint the Mayor and Aldermen of the Borough aforesaid or the greater part of the same and in the absence or infirmity of the Mayor and the Deputy Mayor and Aldermen of the Borough aforesaid, or the greater part of the same, and, in the vacancy of the Mayor, then the greater part of the Aldermen, to administer that form of oath or those forms of oaths thus made, drawn up and ordained, and also all the other before-mentioned oaths and subscription for the same Officers, Ministers, and Deputies respectively from time to time in the Court of the Mayor and Aldermen of the Borough aforesaid, without any further commission or warrant from us, our heirs and successors, to be procured or obtained in that behalf.

We will also, and by these presents do grant, that the Mayor in these presents before nominated and appointed shall take the aforesaid several oaths and shall make the subscription in presence of the Recorder in these presents before nominated and appointed, and that the Recorder and all other the Officers and Members in these presents nominated and appointed shall take the aforesaid several oaths respectively, and each of them shall take them and shall make the subscription in presence of the aforesaid Mayor heretofore nominated and appointed, and this without other warrant or commission from us in that behalf to be procured or obtained.

We will moreover, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the same

borough and their successors for ever that the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or any eighteen or more of the same, whereof the Mayor of the borough aforesaid for the time being, we will to be one, may have, and from time to time henceforth for ever shall have full power and authority to assemble in the common hall of the borough aforesaid, and there to make, draw up, constitute, ordain and establish good, healthy, honest, useful, necessary, and reasonable laws, constitutions, ordinances and provisions according to their sound discretions for the good rule and government of the borough aforesaid, and of all and singular the officers, ministers, artificers, inhabitants and residents within that borough, and the bounds, limits, and precinct of the same, and of others resorting to the borough aforesaid, and for the declaration in what manner and order the same Mayor, Aldermen, Assistants, and Common Council, and all and singular the officers and ministers of the borough aforesaid, shall bear themselves within the borough aforesaid, and the bounds, limits, and precinct of the same, on Sundays, feast days, and solemn days for the greater dignity of that borough, also in what manner the same Mayor, Aldermen, Assistants, Common Council, officers, and ministers, and all and singular the Burgesses, artificers, inhabitants and residents of the borough aforesaid, in all future times whatever shall hold and dispose themselves in their offices, mysteries, duties or handicrafts within that Borough, and the bounds, limits and precinct of the same, for the public good and common utility of the said Borough. And also for the victualling of the same Borough, also for other causes and things whatsoever touching or in any way concerning that Borough. And we will that the same laws, constitutions, ordinances, and provisions thus drawn up, constituted, ordained, and established, be put in due execution, which indeed laws, constitutions, ordinances, and provisions we will also to be observed under such pains and penalties, by reasonable fines and amercements, to be contained in the same laws, constitutions, ordinances, and provisions, to be imposed on and upon delinquents against the same, as shall seem necessary to the same Mayor, Aldermen, Assistants, and Common Council, or the greater part of the same (whereof we will the aforesaid Mayor of the borough, for the time being, to be one), to be imposed for the better observance of those laws, constitutions, ordinances and provisions, and that they be able and have power to levy, receive and have those fines and amercements so imposed to the use of the Mayor and Commonalty of the Borough aforesaid without the hindrance of us, our heirs or successors, and without any account to us our heirs or successors thereof being rendered. So however that those laws, constitutions, ordinances, and provisions, and the pains and penalties to be contained in the same, be not contrary to the laws, statutes or customs of our Realm of

England. And that full and swift justice may be the better applied within the borough aforesaid to all our subjects there residing, and thither resorting, according to the exigence of the law.

We will further, and by these presents ordain, that the Mayor and Recorder of the Borough aforesaid, and their deputies and that Alderman who was Mayor of the same Borough at the time of the surrender before recited, and he who hereafter shall be the last Mayor of the Borough aforesaid, as well as two other Aldermen yearly to be elected by the Mayor or his Deputy and by the Aldermen of the Borough aforesaid or the greater part of the same at the usual time before the surrender above recited (which indeed two Aldermen within six months at least before such election should have received the Holy Eucharist in form aforesaid) may and shall be our justices, and each of them may and shall be the justice of us, our heirs and successors, to preserve and guard the peace within the same Borough, liberty and precinct of the same, and also to guard the statutes and ordinances at Winchester, Northampton and Westminster for the preservation of the same peace, and the statutes and ordinances there and at Cambridge concerning hunters, workmen, artificers, servants, hostlers, mendicants, vagabonds, and other begging men who call themselves travelling men. And also a certain other statute passed in the parliament of the Lord Henry the fifth late King of England held at Westminster aforesaid, concerning counterfeiting, clipping, washing and other falsifying of the money of our land, also all other ordinances and statutes made, and to be made, for the good of the peace of us our heirs and successors and the quiet rule and government of the people of us our heirs and successors in all and singular their articles within the Borough aforesaid, the liberty and precinct of the same, and to chastise and punish all those whom they shall find delinquents against the form of the ordinances and statutes, according to those ordinances and statutes and also for all those who shall do injuries to any of the people of us or our heirs and successors in respect of their bodies, or of firing of their houses to find for them sufficient security for peace and their good behaviour towards us and the people of us, our heirs and successors. And if such persons shall refuse to find such security, then to cause them to be safely guarded in the prison of us our heirs and successors of our Borough aforesaid until they shall have found such security.

And further that they or any three of them (whereof we will the Mayor and Recorder of the borough aforesaid, or their deputies for the time being, to be two), may have full power and authority henceforth for ever to enquire by the oaths of upright and lawful men of the borough aforesaid,

the liberty and precinct of the same, by whom the truth of the matter may be the better known, concerning all felonies, trespasses, forestallers, regraters, and extortions within the borough aforesaid, the liberty and precinct of the same, by whomsoever and howsoever done or perpetrated, and which henceforth shall happen to be done there. And also concerning all and singular other things within the borough aforesaid, the liberty and precinct of the same, howsoever done, attempted, or perpetrated, and which henceforth shall happen to be done, perpetrated, or attempted to be done there, whereof the guardians of the peace of us, our heirs and successors, and the justices of us, our heirs and successors, appointed or to be appointed to enquire concerning such felonies, trespasses and misdeeds in any county of our Realm of England, by virtue of the ordinances and statutes aforesaid, or of other ordinances or statutes before these times done, or hereafter to be done, according to the force and effect of the Letters Patent of us, our heirs and successors, made, and to be made, for them therein, ought and are accustomed to be enquired into. And for the hearing and determining of all and singular the premises and other things whatsoever done, attempted, or perpetrated, or henceforth to be done, attempted, or perpetrated, which, by such guardians of the peace of us, our heirs and successors, and the justices of us, our heirs and successors, appointed or to be appointed to hear and determine such felonies, trespasses, and misdeeds in any county of our Realm of England, ought and are accustomed to be discussed and determined, by virtue of the ordinances and statutes aforesaid, and of our Letters Patent, by the same Mayor, Recorder, and their deputies, and by the aforesaid three Aldermen of the borough aforesaid, or by any three of them (whereof we will the Mayor and Recorder of the borough aforesaid, or their deputies for the time being, to be two), according to the laws and customs of our Realm of England, and the form of the ordinances and statutes aforesaid.

So that all writs, precepts, and other warrants for the performance of the premises, and each of them, may be directed to the ministers of the borough aforesaid, and by them may be executed without any writ, precept, or warrant being in any way therefor directed to the Sheriffs or the Coroners of us, our heirs or successors, of the county of Essex.

So also that the guardians of the peace of us, our heirs or successors, appointed or to be appointed to hear and determine such felonies, trespasses, and misdeeds in the county of Essex done or perpetrated, to be done or perpetrated, may not enter, nor any one of them enter the borough aforesaid, the liberty and precinct of the same, to do anything which belongs to such guardian of

the peace or justice, nor may intrude themselves, nor any one of them intrude himself therefor in any way, without special licence of us, our heirs or successors.

We will also that the aforesaid Mayor and Recorder of the aforesaid borough, and his deputies, and the aforesaid three Aldermen of the same borough for the time being, before they be admitted to exercise the office of justice of the peace within that borough shall take, and each of them take, their corporal oaths on the Holy Gospels of God, according to the laws and statutes of our Realm of England, in such case provided, to well and faithfully execute the office of justice of the peace within the borough aforesaid, the liberty and precinct of the same, namely, the Mayor and his deputy, and the aforesaid three Aldermen, in presence of the Recorder aforesaid or his deputy, and the Recorder and his deputy in presence of the Mayor or his deputy for the time being; to which indeed Mayor and Recorder and their deputies, we give and grant by these presents full power and authority to administer such oaths so as is aforesaid without any further warrant or commission to be procured or obtained in that behalf from us, our heirs or successor, or successors.

We will also, further, and grant that our justices for preserving the peace in the said borough, for the time being, may not permit any person to sell henceforth beer hopped or unhopped, within that borough, without lawful licence in that behalf first had and obtained, nor may grant such licence rashly and without consideration to anyone. And if they should grant it, yet the same licence so granted be made in writing and subscribed by the hands of two justices aforesaid (of whom we will the Mayor of the borough aforesaid for the time being to be one), otherwise that licence shall be void.

And further we will, and by these presents for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that henceforth for ever it may and shall be well lawful for the Mayor and Recorder of the borough aforesaid, and their deputies, and the aforesaid three Aldermen of the same borough for the time being, or for any three of them (of whom we will the Mayor and Recorder of that borough, or their deputies for the time being, to be two), each year at the four times of the year according to the form of the statute therefore issued and provided, in the aforesaid Common Hall of the borough aforesaid, or in any other convenient place within the same borough, liberty and precinct of the same, to have, hold, and to keep sessions of peace concerning all things, matters, causes and offences happening, arising, emerging, done, or perpetrated within the said borough, the liberty and precinct of the

same, and to do and execute all and singular things in the same sessions of peace in as ample a way and form as the justices of our peace in the aforesaid county of Essex, at sessions of the peace to be held for that county in such case do and execute, and can and may do and execute.

Provided always, and further we will and declare that any election of Mayor, Alderman, Assistant, member of the Common Council of the borough aforesaid, High Steward, Recorder, Justice for the Peace, Deputy-Mayor and Deputy-Recorder of the borough aforesaid, made contrary to the direction heretofore mentioned, and of persons not qualified in form aforesaid, shall be absolutely void, to all intentions and purposes whatsoever.

Provided also, always, that it may and shall be allowed to us, our heirs and successors, from time to time, and at all times hereafter, in our Privy Council, by order of us, our heirs or successors, to put out and remove the aforesaid Mayor, Aldermen, Assistants, Common Council, High Steward, Recorder, Justices of the Peace, the Deputy-Mayor and Deputy-Recorder, by us in these our letters nominated, or any other person or persons to be elected hereafter into the offices aforesaid, and moreover that the place or office of such person so removed, shall be void, and moreover that the electors, in form aforesaid, shall proceed to the election of any other fit person or persons in the place of the person or persons so removed and put out by us, our heirs or successors, in Privy Council as is aforesaid, which indeed person or persons so to be elected, before the admission into such place and office, shall take the aforesaid several oaths before mentioned and appointed to be taken by such office, and shall subscribe the declaration in the form aforesaid.

We will moreover, and by these presents for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid and their successors, that the Mayor and Recorder of the Borough aforesaid, or his deputy for the time being, may have henceforth for ever cognizances of all pleas, as well real as personal and mixed, and of other pleas whatsoever of lands and tenements being within the Borough aforesaid, the liberty and precinct of the same, and also of pleas of assize of novel disseisin, mort d'ancestor, redisseisin, attaints and certifyinges, also of pleas of debt, covenant, detinue, account, trespass and other pleas whatsoever within the borough aforesaid, the liberty and precinct of the same arising or to arise, moved or to be moved, as in all our Charters, to wit, before us, our heirs and successors, and before us in the Chancery of us, our heirs and successors or before the Treasurer and Barons of the Exchequer of us our heirs and successors, or our justices of Common Bench, and the justices of

us our heirs and successors, appointed for whatever assizes, juries and certifying to be taken and our other justices and officers whatsoever may be had and held.

And that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may hold and determine all such pleas before them in the Common Hall of the Borough aforesaid. And that the same Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have and hold the court of us our heirs and successors in the aforesaid Common Hall in presence of the Mayor and Recorder, or their deputies for the time being, each week on Monday and Thursday. And that the same Mayor and Recorder or their deputies have power to hold all such pleas, to be levied and affirmed in court by plaintiffs in presence of the Mayor and Recorder or their deputies, and to hold all other pleas of lands and tenements in the court aforesaid on Monday, from fortnight to fortnight, and to hold there all the pleas above said, and pleas of our court of piepowder, and to render judgments in the same, and may cause to be made executions in the same for ever in the same manner and form, and by the same processes, as in the same Borough at any time before the surrender to us of the Charters and Letters Patent heretofore in these Letters Patent recited, the late Mayor and Recorder of the Borough aforesaid, or their Deputies, have been accustomed to hold and prosecute them.

And further we will, and by these presents for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that they may have hereafter for ever cognizance of pleas concerning debts and injuries arising within the Borough aforesaid, and the precinct of the same, belonging to the jurisdiction of our Admiral of England, and power and authority to hold courts within the Borough aforesaid in presence of the Mayor of the aforesaid Borough, or his deputy for the time being, on each Thursday in each week for ever, concerning the same pleas, and also they may and can hear and by due process of law bring to judgment and determine those pleas, in the same court, and cause to be done executions for the same. So, however, that our Admiral of England, or his lieutenant or deputy, may and can enter into the Borough aforesaid, the liberty and precinct of the same, and intrude himself concerning those debts and injuries and all other things which touch our Admiralty as often as he shall will, notwithstanding.

And further we will, and by these presents for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and their successors, that no one who is a foreigner from the

liberty of the borough aforesaid may henceforth use any mystery, occupation or handicraft within that borough, the liberty and precinct of the same, nor buy or sell within the borough aforesaid, or precinct of the same, except in the markets at the time of those markets, any wares or merchandise, except victuals, by parcels or retail, except one of contracting parties be of the liberty of that borough, according to the ancient custom used in the borough aforesaid, and when any foreigner from the liberty of the borough aforesaid who has bought from some other foreigner, or has sold to him any wares or merchandise, except victuals, within that Borough, or precinct of the same (except in the markets, at the time of those markets), otherwise than in gross, from time whereof the memory of man runneth not to the contrary, they have been used and accustomed to forfeit those wares and goods, and the chief officers or officer of the same borough for the time being, by himself, or by his ministers of that borough, or in default of the same chief officers, or chief officer, any or anyone of the liberty of the borough aforesaid being present from the whole time aforesaid, have been used and accustomed to seize into their hands those wares and that merchandise thus forfeited, and by good and lawful men of the liberty of the same borough to have them appraised, and thus seized and appraised, to detain them, and put and convert them to the use of the whole Commonalty of the same borough, without any account being made thereof to us or our successors, late Kings and Queens of England, before this time, unless he who has forfeited them has made redemption of them by the price of the same.

We confirm the customs aforesaid, willing, and by these presents granting, that whatever shall be received henceforth into the common utility of the whole community of the borough aforesaid, according to the customs aforesaid, used and approved in that borough, from the time when memory does not exist, may be safely laid up, and that the common treasure of the same borough so laid up may not be converted to private uses, but expended for the public weal of that borough, and not otherwise.

And lest the limits and boundaries of the borough aforesaid, and of the wards of the same (even if now sufficiently known), yet in progress of time may fade from the fleeting memory of man, whence strifes and discord may arise, we will, and for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the aforesaid borough, and their successors, that it may and shall be lawful to the Mayor and Commonalty, and their successors, yearly, henceforth for ever, to make perambulation of the borough and wards aforesaid, and the limits and precinct of the same, by putting, erecting,

and, as often as shall it be needful, renewing the metes and bounds in the necessary place, that thus certain knowledge of those limits and bounds may be retained for ever.

And further, by these presents for us, our heirs and successors, we do give and grant to the aforesaid Mayor and Commonalty of the Borough of Colchester, in the county of Essex aforesaid, and their successors, all and singular so many, so great, such, the same, of such a kind, and the like, the hamlets, manors, messuages, lands, tenements, rents, hereditaments, common pastures, markets, fairs, marts, courts of piepowder, views of frankpledge and other courts, returns of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharves, tronage, tolls, goods and chattels of felons, and felons of themselves, outlaws, waifs, and howsoever convicted and condemned, deodands, strays, fines, amercements, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, franchises, customs, rights, jurisdictions, immunities, quittances and exemptions whatsoever, how many, how great, of what sort, and what, the men and free Burgesses now lawfully have, hold, enjoy and use, and how many, of what sort, how great, and what the Burgesses of the Borough of Colchester aforesaid, or the Bailiffs and Burgesses of the Borough of Colchester aforesaid, or the Bailiffs and Community of the Borough of Colchester aforesaid, or the Mayor and Commonalty of the Borough of Colchester, in the county of Essex aforesaid, or how many, how great, of what sort, and what, any of them, or their predecessors, Burgesses of the borough aforesaid, by the name of the Mayor and Commonalty of the Borough of Colchester aforesaid, or by whatever other name, or whatever other names, or by whatever incorporation they may have been known or incorporated, or by any way whatsoever before this they may have had, held, enjoyed, or used, or ought to have had, held, enjoyed, or used, by virtue of any Charters or Letters Patent by any of our progenitors, or ancestors, late Kings and Queens of England, made, granted, or confirmed, or by whatever other lawful manner, right, title, custom, prescription, or use, heretofore lawfully used, had, or accustomed to have, hold, enjoy, and possess all and singular those things aforesaid to the Mayor and Commonalty of the Borough of Colchester, in the county of Essex aforesaid, and their successors, for ever, as fully and freely as the late Mayor and Commonalty of the Borough of Colchester aforesaid, at the time of the before-recited surrender shall have had, held, and enjoyed, all and singular of them in right of their corporation aforesaid, under the ancient farm for the borough aforesaid heretofore accustomed to be rendered to us, and our successors.

Willing that the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid, and their successors, may have, hold, enjoy, and use for ever,

all and singular those hamlets, manors, messuages, lands, tenements, rents, hereditaments, common pastures, markets, fairs, marts, courts of piepowder, views of frankpledge, and other courts, returns of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharfs, tronage, tolls, goods and chattels of felons, and felons of themselves, outlaws, waifs, and howsoever convicted and condemned, deodands, strays, fines, amercements, profits, commodities, advantages, emoluments, authorities, liberties, privileges, franchises, customs, rights, jurisdictions, immunities, acquittances, and exemptions, according to the true intention of these our Letters Patent, without let or hindrance of us, our heirs or successors, Justices, Sheriffs, Bailiffs, Officers and Ministers of us, our heirs and successors whatsoever.

Notwithstanding that express mention is not made in these presents of the true yearly value, or of the certainty of the premises, or any of them, or of the other gifts or grants by us heretofore made to the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid, or notwithstanding any act, ordinance, provision, proclamation, or restriction to the contrary thereof heretofore had, made, issued, ordained, or provided, or notwithstanding any other thing, cause, or matter whatever in any way.

In witness whereof we have caused these our letters to be made patent.

Witness myself at Westminster the eighth day of November, in the thirty-sixth year of our reign.

By writ of privy seal.

PICOTT.

For a fine in the hanaper, £3 6s. 8d.

Guilford. *Custos. Sigilli.*

[NOTE.—The foregoing Translation was made from the original Charter by MR. ISAAC H. JAYES, of the British Museum].

Borough of



Colchester.

Charter of 4 James II.

15TH SEPTEMBER, 1688.

James the Second, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith to all to whom these our Letters Patent shall come, greeting.

Whereas our Borough of Colchester in our County of Essex is a borough extremely old and populous and fortified by divers immunities, franchises, liberties and privileges, as well by virtue of divers charters of divers our progenitors Kings and Queens of England as of divers prescriptions, uses and customs in the same Borough before this used, which nevertheless, by certain defects and negligences of the late Mayor and Commonalty of the borough aforesaid, are now totally lost and parted with, and the body Corporate and politic of that Borough is now wholly dissolved.

Know ye now that we, at the humble petition of the now inhabitants of the Borough aforesaid, of our special grace, and of our certain knowledge, and mere motion, do give and grant, that the Borough of Colchester aforesaid be and remain a free borough of itself, terminated by all its ancient and former limits and bounds; and that the inhabitants and free burgesses of the borough aforesaid, and their successors, at all future times, may and shall be one body corporate and politic in deed, fact and name, by the name of the Mayor and Commonalty of the Borough of Colchester in the County of Essex, and for us our heirs and successors, we do make, create, ordain and declare them, by these presents, by the name of the Mayor and Commonalty of the Borough of Colchester in the County of Essex one body corporate, and politic, in deed fact, and name, really and to the full. And that, by the same name, they may have perpetual succession, and that they, by the name of the Mayor and Commonalty of the Borough of Colchester in the County of Essex, may and shall be henceforth for ever persons able and in law capable to have, take, acquire and possess manors, lands, tenements, rents, liberties, privileges, jurisdictions, franchises and hereditaments, of whatsoever kind, nature or sort, to them and to their successors, in fee and perpetuity, or for

term or terms of life, or lives, or years whatsoever and also goods and chattels and whatsoever other things of whatsoever kind, nature or sort they may be. Also to give, grant, demise, assign and dispose of manors, lands, tenements, hereditaments, goods and chattels. And all and singular other deeds and matters concerning the borough aforesaid to do and execute, by the name aforesaid.

And that by the same name of the Mayor and Commonalty of the Borough of Colchester in the County of Essex, they can and may plead and be impleaded, answer and be answered, defend and be defended in all and singular actions, pleas, suits, complaints, causes, matters and demands, real, personal, or mixed, whatsoever, and of whatsoever kind, in whatsoever courts, and before whatsoever judges or justices or other officers and ministers of us, our heirs and successors, moved or to be moved, in the same manner and form as any other our lieges of our kingdom of England, persons able and in law capable, or any other body corporate and politic within our kingdom of England can and may have, take, acquire, possess, give, grant, demise, assign, or dispose of, or to plead and be impleaded, answer and be answered, defend and be defended, do or execute. And that the Mayor and Commonalty of the Borough aforesaid, and their successors, may for ever have a Common Seal to serve for their causes and businesses in any way concerning the borough aforesaid. And that it may and shall be rightly lawful for the same Mayor and Commonalty and their successors, that Seal at their pleasure, from time to time to break, change, and make anew, as shall seem expedient to them.

And we will and declare, and for us, our heirs and successors do give and grant, that henceforth for ever there may and shall be, within the borough aforesaid, of the free burgesses of that borough, in the form in these presents below mentioned, to be named and elected, one who shall be called Mayor, ten (with the aforesaid Mayor) who shall be called Aldermen, ten others who shall be called Assistants, and ten others who shall be called the Common Council of the same borough. And which indeed Aldermen, Assistants, and Common Council of the borough aforesaid, from time to time shall be advising and assisting the Mayor aforesaid for the time being in all causes, things and businesses touching, or in any way concerning, that borough.

And further we will and by these presents do ordain, that henceforth for ever there may and shall be in the borough aforesaid a High Steward to advise and direct the Mayor and Commonalty of the same borough in the principal matters touching that borough.

And further we will, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the

Borough aforesaid, and to their successors, that from henceforth for ever they may and shall have in the borough aforesaid a man, honest and fitting, who shall be called Recorder of the borough aforesaid, both to advise and direct the Mayor and Commonalty of the same borough in whatsoever businesses touching that borough, and to do and execute all other things which do pertain to the office of Recorder within that borough, by himself or by his sufficient deputy.

And further we will, and by these presents for us our heirs and successors do ordain, that henceforth for ever there may and shall be within the borough aforesaid, a man honest and good, who shall be called the Common Clerk of the same borough, which Common Clerk indeed by himself or by his sufficient deputy, may keep and make all and singular recognizances before the Mayor of the borough aforesaid, or any other Justice assigned to keep the peace within the same borough for the time being, to be taken and acknowledged, and them so taken and acknowledged shall transcribe and put upon parchment, and whatsoever laws, ordinances, constitutions, and provisions by the Mayor, Aldermen, Assistants, and Common Council of the same borough for the time being, or the greater part of the same, in their assemblies within the same borough for the good rule and governance of that borough. henceforth to be granted, ordained, or made. Also all processes and acts of court at the session of peace for the borough aforesaid within that borough to be held. And also, all actions, complaints, pleas, processes, and acts of court, in whatsoever other courts within the borough aforesaid to be held, shall make, write, register, and enrol. And also shall write, and make all writings, charter, and muniments concerning the Mayor and Commonalty of the borough aforesaid and their successors, in the right of their aforesaid body politic so as is aforesaid corporate. And all other things which to the office of Common Clerk of the borough aforesaid pertain to be done, shall well and faithfully do and execute.

And further, we will, and for us, our heirs and successors do create, constitute, and make our beloved subject, John Milbank, gentleman, to become and be the first and new Mayor of the borough aforesaid, which indeed John Milbank shall be and continue Mayor of the borough aforesaid until the Feast of St. Michael the Archangel, which will be in the year One thousand six hundred and eighty-nine, and from thence until some other fit person shall be elected from the Aldermen, and sworn, (if the same John Milbank shall so long live) in such manner as below in these Letters Patent is mentioned.

And further, for the better government of the borough aforesaid, for us, our heirs and successors, we do nominate, create, constitute, and make the aforesaid John Milbank, also our beloved John Raynor, Thomas Green, Matthew

Ive, John Scarlett, John Tatem, John King, William Bloyce the elder, William Hall, and Thomas Burton, the first and new Aldermen of the Borough aforesaid. And our beloved Ezekiel Sherman, George Clark, Benjamin Burgis, Samuel Rider, Joseph Pryer, Thomas Grey, John Skingsley, William Bloyce the younger, John How and Robert Robery the first and new Assistants. And our beloved John Raynham, William Freeman, Robert Potter, Benjamin Dyer, Christopher Harris, Richard Feild, Arthur Winsley, Daniel Spilston, Thomas Welby, and Edward Brasyer the younger, the first and new [men] of the Common Council of the borough aforesaid. And our dearest cousin and councillor Christopher, Duke of Albermarle, the first and new High Steward. And our well-beloved and faithful Cousin and Councillor Thomas, Lord Petre, the first and new Recorder of the Borough aforesaid.

And further we do will and grant for us our heirs and successors, that upon the Monday next after the Feast of the Decollation of St. John the Baptist, next following, and so upon every Monday next after the Feast of the Decollation of St. John the Baptist, in future for ever, it shall be rightly lawful for the Assistants and members of the Common Council aforesaid or the greater part of the same to nominate two of the Aldermen of the same borough for the time being, and to present their names to the Mayor then being, and to the rest of the Aldermen then present, which indeed Mayor and the rest of the Aldermen then present or the greater part of the same shall elect one of the same two Aldermen so nominated, as Mayor of the Borough aforesaid, and that he who shall be elected as Mayor of the Borough aforesaid after that election made, and before he be admitted to execute the office of Mayor, that is to say on the Feast of St. Michael the Archangel then next following shall take the oath of Mayor for the due execution of his office of Mayor aforesaid. And after that oath taken, that he may and can exercise the Office of Mayor of the Borough aforesaid for one whole year then next following, and from thence until another shall be duly elected, preferred and sworn to that office.

And so these things shall be observed from year to year every year for ever.

And as often as he, who shall have been elected Mayor of the borough aforesaid, shall die, or shall refuse to undertake the office of Mayor of the same borough, or shall be removed, we will also, and by these presents do declare, that there shall be made a similar nomination and election as in these presents are before recently mentioned. And that the person newly elected (having first taken the oath of his office of Mayor), may execute the office of Mayor

of the same borough in form aforesaid. And if it shall happen that any Mayor of the borough aforesaid shall die in his Mayoralty or be removed from the office of his Mayoralty, then and in such case, until any other fitting person shall be elected as Mayor of the borough aforesaid, and shall take the oath of his office of Mayor, and shall be admitted to the office of Mayor aforesaid, the first Alderman of the borough aforesaid for the time being, who (during the vacancy of the Mayoralty) shall be within the borough aforesaid, may and can execute the office of Mayor aforesaid.

And so these things shall be observed from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant, that if it shall happen that any one of the aforesaid Aldermen of the borough aforesaid, before constituted, or by force of these presents henceforth to be elected, shall die, or be removed from his office of Alderman of the same borough, that then, after the death or removal of such Alderman, that is to say, at a suitable and fitting time and as quickly as conveniently may be, it may and shall be rightly lawful for the aforesaid Assistants and Members of the Common Council, or the greater part of the same, for the time being, to nominate two of the Assistants of the same borough for the time being (provided neither of them exercise the trades of alehousekeeper or brewer), and to present their names to the Mayor and Aldermen of the borough aforesaid, which indeed Mayor and the rest of the Aldermen then surviving, or the greater part of the same (of whom we will the Mayor of the Borough aforesaid for the time being to be one) may elect and prefer one of the same Assistants so nominated and presented to them as is aforesaid, as Alderman of that borough in the place and office of such Alderman so dead or removed, which indeed Alderman so elected before his admission to the office aforesaid shall take the oath of Alderman of the borough aforesaid.

And these things shall be observed from time to time, as often as the case shall so happen, for ever.

We will also, and by these presents for us, our heirs and successors, do give and grant, that when it shall happen that any one of the aforesaid Assistants of the borough aforesaid (or by force of these presents hereafter to be elected), shall die, or be removed from his office of Assistant of the same borough, that then, and in such case, after the death or removal of such Assistant, that is to say, at a suitable and fitting time, and as quickly as conveniently may be, it may and shall be rightly lawful for the rest of the

aforesaid Assistants, and for the members of the Common Council of the borough aforesaid, for the time being, or for the greater part of the same, to nominate two of the aforesaid Common Council of the borough aforesaid, for the time being, as Assistants of that borough, in the place and office of such Assistant so dead or removed, and to present their names to the Mayor and Aldermen of the borough aforesaid, which indeed Mayor and Aldermen of the borough aforesaid, or the greater part of the same (of whom we will the Mayor of the borough aforesaid for the time being to be one), may elect and prefer one of the same two persons so as is aforesaid presented to them in the place and office of such Assistant so dead or removed. Which indeed person so elected, before his admission as Assistant aforesaid, shall take the oath of Assistant of the borough aforesaid.

And these things shall be observed from time to time, as often as the case shall happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do give and grant, that when it shall happen that any one of the aforesaid Common Council of the borough aforesaid (or by force of these presents hereafter to be elected), shall die, or be removed from his office of one of the Common Council of the borough aforesaid, that after such death or removal from the Common Council, that is to say, at a suitable and fitting time, and as quickly as conveniently may be, it may and shall be rightly lawful for the rest of the members of the Common Council, and the aforesaid Assistants of the borough aforesaid, or the greater part of the same, to present to the Mayor and Aldermen of the borough aforesaid the names of two discreet Burgesses of the borough aforesaid, of honest life and conversation, from which two, they, the aforesaid Mayor and Aldermen, or the greater part of the same (of whom we will the Mayor of the borough aforesaid, for the time being, to be one), shall choose one to be one of the Common Council of the borough aforesaid, which indeed person so elected, before his admission to the place or office of one of the Common Council aforesaid, shall take the oath of one of the Common Council of the borough aforesaid.

And these things shall be observed from time to time, as often as the case shall happen, for ever.

We will moreover, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty, and to their successors, that when it shall happen that the aforesaid High Steward, the aforesaid Recorder, or the aforesaid Common Clerk of the borough aforesaid

(or by these presents in future to be elected), shall die, or be removed, or resign their offices, that after the death, removal, or resignation of such High Steward, Recorder, or Common Clerk of the borough aforesaid, that is to say, at a time suitable, fitting, and as quickly as conveniently may be, it may and shall be rightly lawful for the Mayor, Aldermen, Assistants, and Common Council, for the time being, or the greater part of the same, to elect and prefer one other High Steward, Recorder, or Common Clerk of the borough aforesaid, in the place of such High Steward, Recorder, or Common Clerk so dead, removed, or resigning. Which indeed High Steward, Recorder, and Common Clerk, before their admissions to their offices aforesaid, shall take an oath for the due execution of their offices aforesaid.

And further we will, and for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty, and their successors, that the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or the greater part of the same (of whom we will the Mayor of the borough aforesaid, or his deputy, for the time being to be one), from time to time, and at all times hereafter, to nominate and elect all other officers and ministers whomsoever to serve within the borough aforesaid.

We do will further, and for us, our heirs and successors, do give and grant that in every election of an officer or minister within the borough aforesaid henceforth to be made, in which the Mayor of the same borough, for the time being, may have a vote, and the voters in their votes are equally divided, then the Mayor may have in that case a double vote.

And further, we will, and for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the borough aforesaid, and to their successors, that if it shall happen that the Mayor of the borough aforesaid for the time being shall be kept back by infirmities, or shall be engaged in the service of us or our successors outside the borough aforesaid, so that he cannot attend to the necessary businesses of that borough touching the office of Mayor of the same borough, or for any other reasonable cause shall be gone from that borough, that then and so often it may and shall be rightly lawful for the same Mayor to put and constitute one honest and discreet man of the Aldermen of the borough aforesaid, for the time being, to become and be his deputy during his infirmity or absence, which indeed deputy so to be put and constituted (before he be admitted to exercise the office of Deputy-Mayor within the borough aforesaid, shall take the oath before mentioned by the Mayor to be taken, and after that oath so taken he may and can be present at whatsoever causes, matters or businesses in any way touching the

borough aforesaid, and may do and execute all and singular those things which do pertain to the office of Mayor of the borough aforesaid, to be done to all purposes, and in as ample manner and form, during the infirmity or absence of the Mayor so infirm or absent, as the Mayor himself can and may, and so from time to time, as often as it shall so happen, for ever.

We will also, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the same borough and to their successors, that if it shall happen that the Recorder of the borough aforesaid for the time being shall be kept back by infirmity, or be engaged in the service of us our heirs or successors outside the Borough aforesaid, or be otherwise occupied so that he cannot attend to the necessary businesses of the Borough aforesaid touching the office of Recorder of that Borough, that then and so often it may and shall be rightly lawful for the same Recorder to put and constitute in his place a man honest, skilled in the laws, and fitting to become and be his Deputy during his infirmity or absence. Which indeed Deputy so to be put and constituted, before he is admitted to exercise the office of Deputy Recorder within the Borough aforesaid, shall take the oath before mentioned by the Recorder to be taken. And after the oath so as is aforesaid taken, he may and can do and execute all and singular those things which do pertain to the Office of Recorder of the Borough aforesaid, to be done in as ample a manner and form as the Recorder himself, during such infirmity or absence of that Recorder so infirm or absent, and this from time to time as often as the case shall so happen for ever.

We will also, and by these presents do grant, that the Mayor in these presents before named and constituted shall take the oath of his office of Mayor of the Borough aforesaid in presence of the Recorder in these presents before named and constituted, or his deputy, and that the Recorder and all other Officers and Members in these presents constituted shall respectively take and each of them shall take the aforesaid oath, in presence of the aforesaid Mayor before named and constituted. And this without any other warrant or commission from us in this behalf to be procured or obtained.

We will moreover, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the same borough and to his successors for ever that the Mayor, Aldermen, Assistants, and Common Council of the borough aforesaid for the time being, or any fifteen or more of the same, (of whom we will the Mayor of the borough aforesaid for the time being, to be one) may have, and from time to time henceforth for ever shall have, full power and authority in the common hall of the borough aforesaid, to meet and there to make, compile, constitute, establish

and ordain good, wholesome, honest, useful, necessary, and reasonable laws, constitutions, ordinances and provisions according to their sound discretions for the good rule and governance of the borough aforesaid, and of all officers, ministers, artificers, inhabitants and residents within that borough, and the bounds, limits, and precinct of the same, and of others resorting to the borough aforesaid, and for a declaration in what manner and order the same Mayor, Aldermen, Assistants, and Common Council, and all and singular officers and ministers of the borough aforesaid, shall bear themselves within the borough aforesaid, and the bounds, limits, and precinct of the same on Sundays, feast days, and solemn days for the greater decorum of that borough, also how the same Mayor, Aldermen, Assistants, Common Council, and Ministers, and all and singular Burgesses, artificers, inhabitants and residents of the borough aforesaid, at all future times whatsoever shall hold and dispose themselves in their offices, mysteries, functions or handiworks within that Borough, and the bounds, limits and precinct of the same, for the public weal and the common utility of the said Borough, and also for the victualling of the same Borough, also for other causes and matters whatsoever touching or in any way concerning that Borough. And the same laws, constitutions, ordinances, and provisions so compiled, constituted, ordained, and established, to cause to be put in due execution, which indeed laws, constitutions, ordinances, and provisions we will also to be observed under such pains and penalties, by reasonable fines and amercements in the same laws, constitutions, ordinances, and provisions to be contained in and upon offenders against the same, to be imposed, as to the same Mayor, Aldermen, Assistants, and Common Council, or the greater part of the same (of whom we will the Mayor of the aforesaid borough for the time being to be one), shall seem to be necessary to be imposed for the better observance of those laws, constitutions, ordinances, and provisions.

And that they may and can levy, receive and have those fines and amercements so imposed to the use of the Mayor and Commonalty of the Borough aforesaid without hindrance of us, our heirs or successors, and without any account to us our heirs, or successors therefor to be rendered. So nevertheless that those laws, constitutions, ordinances and provisions, and the pains and penalties in the same contained be not against the laws, statutes or customs of our kingdom of England, and that full and speedy justice within the borough aforesaid may be the better applied to all our subjects there residing and thither resorting according to the exigency of law.

We will further, and by these presents do ordain, that the Mayor and Recorder of the Borough aforesaid, and their deputies, and he who in

future shall be the last Mayor of the Borough aforesaid, also two other Aldermen yearly to be elected by the Mayor or his Deputy and the Aldermen of the Borough aforesaid, or the greater part of the same, at a time before the aforesaid dissolution of the corporation aforesaid used, may and shall be our justices, and each of them may and shall be the justice of us, our heirs and successors, to preserve and keep the peace within the same Borough, the liberties and precinct of the same. Also to keep the statutes and ordinances at Winchester, Northampton and Westminster for the preservation of the peace of the same and the statutes and ordinances there and at Cambridge for huntsmen, workmen, artificers, servitors, hostillars, mendicants, vagabonds, and other mendicant men who call themselves travelling men. And also a certain other statute passed in the parliament of the Lord Henry late King of England the Fifth held at Westminster aforesaid, concerning the counterfeiting, clipping, washing and other falsification of the money of our land, also all other ordinances and statutes made, and to be made, for the good of the peace of us our heirs and successors and the quiet rule and governance of the people of us our heirs and successors in all and singular their articles within the Borough aforesaid, the liberties and precinct of the same, and to chastise and punish all those, whom against the form of the ordinances and statutes aforesaid they shall find to be offending, according to those ordinances and statutes, also to cause all those who do injuries to any of the people of us or our heirs and successors concerning their bodies, or burning of their houses, to find a sufficient security for peace and their good behaviour towards us, and the people of us, our heirs and successors. And if such persons shall refuse to find security, then to cause them to be safely kept in the prison of us our heirs and successors of our Borough aforesaid until they shall find such security.

And further that they or any three of them (of whom we will the Mayor and Recorder of the borough aforesaid, or their deputies for the time being, to be two), may have full power and authority henceforth for ever to enquire by the oaths of good and lawful men of the borough aforesaid, the liberties and precinct of the same, by whom the truth of the matter may be the better known, concerning all manner of felonies, trespasses, forestallers, regraters, and extortions within the borough aforesaid, the liberties and precinct of the same, by whomsoever, in any way whatsoever done or perpetrated, and which henceforth shall happen to be there done. And also concerning all and singular other things within the borough aforesaid, the liberty and precinct of the same in any way whatsoever done, attempted, or perpetrated, and which shall happen henceforth to be there perpetrated or attempted, whereof

the keepers of the peace of us, our heirs and successors, and the justices of us, our heirs and successors, assigned or to be assigned to inquire concerning such felonies, trespasses and misdeeds in any county of our kingdom of England by virtue of the ordinances and statutes aforesaid, or of other ordinances or statutes before these times made, or hereafter to be made, according to the force and effect of the Letters Patent of us, our heirs and successors, to them therefor made and to be made, ought and are accustomed to be enquired of. And to hear and determine all and singular the premises and other things whatsoever within the aforesaid borough, liberty and precinct of the same done, attempted or perpetrated, or henceforth to be done attempted or perpetrated, which, by such keepers of the peace of us our heirs and successors, and the justices of us our heirs and successors, assigned or to be assigned to hear and determine such felonies, trespasses, and misdeeds in any county of our kingdom of England, by virtue of the ordinances and statutes aforesaid, and of our Letters Patent, ought and are accustomed to be discussed and determined by the same Mayor, Recorder and their deputies, and the aforesaid three Aldermen of the borough aforesaid, or any three of them (of whom we will the Mayor and Recorder of the borough aforesaid, or their deputies for the time being to be two), according to the laws and customs of our Kingdom of England, and the form of the ordinances and statutes aforesaid. So that all writs, precepts, and other warrants for performing the premises, and each of the premises be directed to the ministers of the borough aforesaid, and by them be executed without any writ, precept, or warrant to the Sheriffs or Coroners of us, our heirs or successors, of the county of Essex therefor in any way to be directed. So also that the keepers of the peace of us, our heirs or successors, assigned or to be assigned to hear and determine such felonies, trespasses, and misdeeds in the county of Essex done or perpetrated, (or) to be done or perpetrated, do not enter, nor any of them enter, the Borough aforesaid, the liberties and precinct of the same to do anything which doth pertain to such keepers of the peace or Justices, nor do in aught intrude themselves therein, nor any one of them intrude himself in any way, without the special license of us, our heirs or successors.

We will also that the aforesaid Mayor and Recorder of the borough aforesaid, and their deputies, and the aforesaid three Aldermen of the same borough for the time being, before they are admitted to exercise the office of justice of the peace within that borough shall take, and each of them take, their corporal oaths upon the Holy Gospels of God, well and faithfully to exercise the office of justice of the peace within the borough aforesaid, the liberties and precinct of the same, (namely), the Mayor and his deputy, and the aforesaid three Aldermen, in presence of the Recorder aforesaid or his

deputy, and the Recorder and his deputy, in presence of the Mayor or his deputy for the time being ; to which indeed Mayor and Recorder and their deputies, we do give and grant by these presents full power and authority to administer such oaths so as is aforesaid without any further warrant or commission from us, our heirs or successors to be procured or obtained in that behalf.

We do will also, further, and do grant that our justices to preserve the peace in the borough aforesaid for the time being, may not henceforth permit any person to sell beer hopped or not hopped, within that borough, without lawful licence in that behalf first had and obtained, nor rashly and unadvisedly grant such licence to any one. And if they do grant it, nevertheless the same licence so granted shall be put in writing and be subscribed by the hands of two justices aforesaid (of whom we will the Mayor of the borough aforesaid for the time being to be one), otherwise that licence shall be void.

And further we will, and by these presents for us our heirs and successors do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid and to their successors, that henceforth for ever it may and shall be rightly lawful for the Mayor and Recorder of the borough aforesaid and their deputies, and the aforesaid three Aldermen of the same borough for the time being, or any three of them (of whom we will the Mayor and Recorder of that borough, or their deputies, for the time being, to be two) each year at the four terms of the year according to the form of the statute therefor passed and provided, in the aforesaid Common Hall of the borough aforesaid, or in any other convenient place within the same borough, the liberties and precinct of the same, to have, hold, and keep sessions of the peace concerning all things, matters, causes and offences within the said borough, the liberty and precinct of the same happening, chancing, arising, done, or perpetrated ; and to do and execute all and singular matters in the same sessions of peace in as ample manner and form as our justices of peace in the aforesaid county of Essex, at sessions of the peace to be held for that county in such case do and execute, and can and may do and execute.

Provided always, and further we do will and declare that each election of Mayor, Alderman, Assistant, member of the Common Council of the borough aforesaid, High Steward, Recorder, Justice for the Peace, Deputy-Mayor and Deputy-Recorder, Common Clerk, or any minister or officer of the borough aforesaid, made contrary to the direction in these presents mentioned, shall be absolutely void to all intents and purposes whatsoever.

Provided always, and we do reserve full power and authority to us, and to our heirs and successors, by these presents from time to time hereafter

to remove any Mayor, Alderman, Assistant, member of the Common Council, High Steward, Recorder, Justice of the Peace, Deputy-Mayor and Deputy-Recorder, Common Clerk, or any other minister or officer of the Borough aforesaid for the time being, at the will and good pleasure of us our heirs or successors by Order in the Privy Council of us or them made, from their several offices aforesaid, and to declare them removed.

And as often as we shall declare, or our heirs and successors shall declare, such Mayor, Alderman, Assistant, Member of the Common Council, High Steward, Recorder, Justice of the Peace, Deputy-Mayor and Deputy-Recorder, Common Clerk, or any other minister or officer of the borough aforesaid for the time being, or any of them, from their respective offices aforesaid to become and be removed, so as is aforesaid, that then and so often such Mayor, Alderman, Assistant, member of the Common Council, High Steward, Recorder, Justice of the Peace, Deputy Mayor and Deputy Recorder, Common Clerk, or any other minister or officer so declared or to be declared, removed or to be removed, from their several and respective offices, may and shall, *ipso facto*, and without any further process really and to all intents and purposes whatsoever, be removed, and this as often as the case shall so happen, anything to the contrary thereto notwithstanding. And then and in such case, from time to time within a convenient time after such removal or removals, another fitting person shall be elected, constituted and sworn, or other fitting persons shall be elected, constituted and sworn in the place and office or into the respective places and offices of such person so removed, or persons so removed, and may be elected, constituted and sworn according to the true intention of these Letters Patent.

Provided nevertheless that if at any time in future within twenty days after such removal or removals of any Mayor, Alderman, Assistant, Member of the Common Council, High Steward, Recorder, Deputy Mayor, and Deputy-Recorder, Justice of the Peace, Common Clerk, or any other minister or officer of the Borough aforesaid, from their respective offices aforesaid, or after the death or decease of the same the remaining Mayor, Alderman, Assistants and members of the Common Council of the Borough aforesaid for the time being shall be enjoined or commanded by letters mandatory of us, or of our heirs or successors, under the seal or sign manual of us, our heirs or successors, direct or to be directed to the same to elect, admit and swear any other person or any other persons of the nomination of us, our heirs or successors, to and into the several and respective places and offices, or place or office, of any person or of any persons so thence removed, dead, or deceased as is aforesaid, that then and so often it may and shall be lawful for the same

Mayor, Aldermen, Assistants, and Members of the Common Council of the Borough aforesaid for the time being (however few in number the same shall happen to be), or the greater part of the same, who upon public notice or summons should up to then wish to be present to elect and admit. And the same by these presents are required to elect and admit any such respective person, or respective persons, to and into the place or office, or places or offices, of the aforesaid persons or person respectively so thence removed, dead or deceased, as in that case from time to time after this by such letters mandatory respectively may or shall be named or appointed, and that in such case each other election or admission had, or to be had, against the tenor of these presents, or against the exigency of the aforesaid letters mandatory to all intents and purposes whatsoever, shall be void and of no force.

Also by these presents for us our heirs and successors we do give and grant to the Mayor, Aldermen, Assistants and Common Council of the Borough aforesaid for the time being, or such of them by whom such election or admission according to the true intent of these presents may and shall be had and made, full power and authority of administering the oath of the office or offices to any Mayor, Alderman, Assistant, member of the Common Council, High Steward, Recorder, Deputy Mayor, Deputy Recorder, Common Clerk, or any other Officer of the Borough aforesaid, so as is aforesaid elected or admitted, or to be elected or admitted, within the same borough. Also each Mayor, Alderman, Assistant, Member of the Common Council, High Steward, Recorder, Deputy Mayor, Deputy Recorder, Common Clerk, or other officer of the Borough aforesaid so as is aforesaid elected, admitted and sworn, or hereafter to be elected, admitted or sworn, can and may have, enjoy and exercise their several respective offices aforesaid or office aforesaid within the borough aforesaid as fully and entirely, and in as ample manner and form to all purposes and intents whatsoever as any other Mayor, Alderman, Assistant, Member of the Common Council, High Steward, Recorder, Deputy Mayor, Deputy Recorder, Common Clerk or other officer within the same borough in any other manner elected admitted and sworn, or in future to be elected, admitted and sworn, may or can (any other manner or form of election, admission or oath in these presents above written, or within the Borough aforesaid before this used, to the contrary of this in anywise notwithstanding).

And further, for divers causes and considerations specially moving us thereto, of our special grace and of our certain knowledge and mere motion, and by virtue of our royal prerogative we have dispensed, pardoned, remitted and exonerated, and by these presents for us our heirs and successors do dispense, pardon, remit and exonerate the aforesaid John Milbank, mayor;

Christopher, Duke of Albemarle, High Steward; Thomas, Lord Petre, Recorder; John Raynor, Thomas Green, Matthew Ive, John Scarlett, John Tatem, John King, William Bloyce the elder, William Hall and Thomas Burton, Aldermen; Ezekiel Sherman, George Clarke, Benjamin Burgis, Samuel Rider, Joseph Pryer, Thomas Grey, John Skingsley, William Bloyce the younger, John How, Robert Robery, Assistants; John Raynham, William Freeman, Robert Potter, Benjamin Dyer, Christopher Harris, Richard Feild, Arthur Winsley, Daniel Spilston, Thomas Welby, Edward Brasier the younger, the Common Council of the Borough aforesaid; in these presents named and each of them, and each other and others such officers, and all other officers or ministers respectively within the same borough in future to be nominated, elected or admitted, of and from all taking and receiving the "*juramentum primacie*" (in English the oath of supremacy) mentioned or expressed in a certain Act of Parliament of the lady Elizabeth late Queen of England, the first year of her reign, or in any other statute or Act of Parliament. And also of and from the taking and receiving of the "*juramentum ligeancie*" (in English the oath of allegiance or obedience) mentioned or expressed in a certain Act of Parliament made in the Parliament of the Lord James the First our grandfather, late king of England, held in the third year of his reign, or in any other statute or Act of Parliament. And also of and from the taking and receiving of the oath mentioned and contained in a certain statute made in the Parliament of the Lord Charles the Second, late king of England, held in the thirteenth year of his reign intituled "*An Act for the well governing and regulating of corporations,*" and also of and from all receiving of the "*Sacramentum Cene Dominice,*" (in English the Sacrament of the Lord's Supper) according to the rite or use of the Church of England, or according to the direction of any canons or statutes, or any canon or statute, of this our kingdom of England. And also of and from the taking and receiving of the declaration mentioned or contained in the aforesaid statute of the thirteenth year of Charles the Second. And also of and from the taking and subscription of the declaration mentioned and expressed in a certain other Statute made in the Parliament of the said Lord the king Charles the Second in the twenty-fifth year of his reign intituled "*An Act for preventing dangers which may happen from Popish recusants,*" and also of and from the taking and receiving of any oaths, and receiving of the sacrament of the Lord's Supper, and the subscription of any declarations or any declaration mentioned or expressed in the statute aforesaid, or Act of Parliament above mentioned or any of them, or any other statute mentioned or contained in respect of and concerning the premises. And of and from all crimes, convictions, pains, penalties, forfeitures, damages, incapacities, and dis-

abilities, by the same or any of them incurred or to be incurred, or to the same or any of them to be imputed or objected, or with which any one or any of them now may be, or after this may be, chargeable, for that they did not take or receive, or any of them did not take or receive, or after this shall not have taken or received, or any of them shall not have taken or received the aforesaid oaths and sacrament of the Lord's Supper, or shall not have subscribed, or made, or after this shall not have subscribed or made, or any one of them hath not subscribed or shall not have subscribed, made or shall have made the aforesaid declaration above mentioned, or any one or any of them, or any other injunction or order whatsoever by the statutes, or either of them, or by any other statute before this made or issued requiring the taking of the oaths aforesaid, or of any of them, or the receiving of the Sacrament of the Lord's Supper according to the rite or use of the English Church, or the pronouncing and subscription of the declarations aforesaid, or of any of them. And of and from all and all manner of informations, presentments, oaths, prosecutions, molestations, claims, and demands whatsoever, as well in the name of us our heirs or successors as in the name or in the names of any other person or any other persons before had, pronounced, and now depending, or hereafter to be had, pronounced, or to be depending in any court of us our heirs or successors, or in any other courts or places whatsoever for or concerning any defect, neglect, omission or refusal to take, perform, receive, or subscribe the aforesaid oaths, the sacrament of the Lord's Supper, or the declaration in the Act of Parliament above-mentioned, or by the same, or by any of them, directed or enjoined, or on account of any other defect in the performance of the premises or of any of them.

And further of our abundant grace, and of our certain knowledge and mere motion, we do will and declare, and by these presents for us our heirs and successors do grant to the same Mayor, Aldermen, Assistants, Common Council, High Steward, Recorder, Deputy Mayor, Deputy Recorder, Justice of the Peace, Common Clerk, and all other Officers and Ministers of the Borough aforesaid, now and for the time being, and to each of them, full and sufficient ability, capacity, power and authority to have, enjoy and exercise their respective offices aforesaid respectively, and all and singular things thereto respectively belonging and pertaining, without the taking of the oaths aforesaid, or any of them, or the taking of the sacrament according to the rite and use of the English Church, or the pronouncing and subscription of the declarations aforesaid, or any of them, or performing any injunction or requisition whatsoever by any statute aforesaid directed to be performed or incurred, or to be subject to any crimes, offences, inabilities, incapacities,

corrections, prosecutions, pains, penalties, forfeitures, impeachments or damages whatsoever. And as fully and freely and in such manner as the same Mayor, Aldermen, Assistants, Common Council, High Steward, Recorder, Deputy Mayor, Deputy Recorder, Justice of the Peace, Common Clerk, and all other officers and ministers of the Borough aforesaid now and for the time being should have taken, received, made and subscribed the aforesaid oaths, Sacrament of Lord's Supper, and declaration according to the form and effect of the statute aforesaid, and the Act of Parliament above mentioned (the Acts and statutes aforesaid, or any of them, or anything in the same, or in any one of them contained, or any other statute, Act of Parliament, law or provision to the contrary thereto in anything notwithstanding).

We will moreover, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have henceforth for ever the cognizances of all pleas, as well real as personal and mixed, and of other whatsoever lands and tenements being within the Borough aforesaid, the liberties and precinct of the same. And also of pleas of assizes, of novel disseisin, mort d'ancestor, redisseisin, attainments and certificates. Also of pleas of debt, covenant, detinue, account, trespass, and of other pleas whatsoever within the borough aforesaid, the liberty and precinct of the same arising or to arise, moved or to be moved, as in all our courts, that is to say, before us our heirs and successors, and before us in the chancery of us, our heirs and successors, or before the Treasurer and Barons of the Exchequer of us, our heirs and successors, and our justices of the Common Bench, and the justices of us, our heirs and successors, assigned to take whatsoever assizes, juries, and certificates, and other justices and officers of us whatsoever, may be had and held.

And that the Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may hold and determine all such pleas before them in the aforesaid Common Hall of the Borough aforesaid. And that the same Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, may have and hold the court of us, our heirs and successors, in the aforesaid Common Hall before the Mayor and Recorder, or their deputies, for the time being, every week on Mondays and Thursdays. And that the same Mayor and Recorder, or their deputies, may have power to hold all such personal pleas by plaint before the Mayor and Recorder, or their deputies, in the court to be levied and affirmed, and to hold there all other pleas of lands and tenements in the court aforesaid on Monday from fortnight to

fortnight, and all pleas aforesaid, and the pleas of our court of piepowder, and give judgments thereof, and cause executions thereof to be made for ever, in the same manner and form, and by the same processes, as in the same Borough at any time before we dissolved the Charters and Letters Patent before in these Letters Patent recited, the late Mayor and Recorder of the Borough aforesaid, or their deputies, were accustomed to hold and prosecute them.

And further we will, and by these presents, for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid and to their successors, that they may have henceforth for ever the cognizance of pleas concerning debts and injuries within the Borough aforesaid, and the precinct of the same arising, pertaining to the jurisdiction of our Admiral of England. And power and authority to hold a court within the Borough aforesaid before the Mayor of the Borough aforesaid, or his deputy, for the time being, every Thursday in each week for ever concerning the same pleas, also may and can hear, and by due process of law bring to judgment and determine, those pleas in the same court, and thereof cause executions to be made, so nevertheless that our Admiral of England, or his lieutenant or deputy into the Borough aforesaid, the liberty and precinct of the same, may and can enter, and intrude himself concerning those debts and injuries, and all other things which do touch our Admiral, as often as he shall wish, notwithstanding.

And further we will, and by these presents for us, our heirs and successors, do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that no one who may be a foreigner from the liberty of the Borough aforesaid may henceforth use any mystery, occupation or manual art within that Borough, the liberties and precinct of the same, nor may buy or sell within the Borough aforesaid, or the precinct of the same (except in the markets at the time of those markets), any goods or wares, except victuals, by parcels or retail unless one party contracting be of the liberty of that Borough, according to the ancient custom in the Borough aforesaid used. And when anyone foreign from the liberty of the Borough aforesaid who hath bought of such other foreigner, or hath sold to him any goods or wares besides victuals within that borough, or the precinct of the same (except in the markets at the time of those markets), other than in gross, from time whereof the memory of man existeth not, those goods and wares they were used and accustomed to forfeit, and the chief officers or officer of the same Borough for the time being by himself or by his ministers of that Borough, or in default of the same chief officers, or of the same chief officer, any persons or person of the liberty of the

Borough aforesaid, being present from the whole time abovesaid, were used and accustomed those goods and wares so forfeited to seize into their hands and by good lawful men of the liberty of the same borough to cause to be appraised, and those things so seized and appraised to detain, and to dispose and convert to the use of the whole Commonalty of the same Borough, without any account to us or our successors thereof being made, unless he who did forfeit them made redemption thereof by the price of the same.

We do restore the custom aforesaid, willing and by these presents granting that whatsoever shall be henceforth received for the common use of the whole commonalty of the Borough aforesaid, according to the custom aforesaid from time whereof the memory of man runneth not, used and approved in that Borough, may be safely laid up, and that the common treasure of the same borough so laid up be not converted to private uses, but be expended for the public weal of that Borough, and not otherwise.

And lest the limits and bounds of the Borough aforesaid and of the wards of the same (although now sufficiently known) yet may by the progress of time vanish from the fleeting memory of men, whence strifes and discords might arise, we will and for us our heirs and successors do give and grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that it may and shall be lawful for the Mayor and Commonalty and their successors, yearly henceforth for ever to make perambulation of the borough and wards aforesaid, and of the limits and precinct of the same, by metes and bounds in necessary places to be put, erected, and as often as shall be necessary renewed, that thus certain knowledge of those limits and bounds may be for ever retained.

And further by these presents for us our heirs and successors, we do give and grant to the aforesaid Mayor and Commonalty of the Borough of Colchester in the County of Essex, and to their successors, all and singular, so many, so great, such, the same, of such kind, and the like hamlets, manors, messuages, lands, tenements, rents, hereditaments, commons, pastures, marts, fairs, markets, courts of piepowder, views of frankpledge and other courts, returns of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharfs, tronage, tolls, goods and chattels of felons, and of felons of themselves, of outlaws, waifs, and howsoever convicted and condemned, deodands, estrays, fines, amercements, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, franchises, customs, rights, jurisdictions, immunities, quittances and exemptions whatsoever, how many, how great, of what kind, and which the men and free burgesses of the borough aforesaid now lawfully do have,

hold, enjoy and use, and how many, of what sort, how great, and what, the Burgesses of the Borough of Colchester aforesaid, or the Bailiffs and Burgesses of the Borough of Colchester aforesaid, or the Bailiffs and Commonalty of the Borough of Colchester aforesaid, or the Mayor and Commonalty of the Borough of Colchester in the county of Essex aforesaid, or how many, of what sort, how great, and what, any of them or their predecessors Burgesses of the Borough aforesaid by the name of the Mayor and Commonalty of the Borough of Colchester aforesaid, or by whatsoever other name or whatsoever names, or by whatsoever incorporation they were known or incorporated, or in any manner whatsoever before this they had, held, enjoyed, or used, or ought to have had, held, enjoyed or used by virtue of any Charters or Letters Patent by any of our progenitors, or of our ancestors, late Kings or Queens of England, before this made, granted, or confirmed, or by any other lawful manner, right, title, custom, prescription, or use before this lawfully used, had, or accustomed to have, hold, enjoy and possess all and singular those things to the aforesaid Mayor and Commonalty of the Borough of Colchester in the County of Essex aforesaid, and to their successors for ever, as fully and freely as the late Mayor and Commonalty of the Borough of Colchester aforesaid at the time of the surrender before recited had, held, and enjoyed all those things in right of their incorporation aforesaid under the ancient farm for the Borough aforesaid to us and our predecessors before this accustomed to be rendered. Willing that the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid, and their successors, may have, hold, enjoy and use, for ever all and singular those hamlets, manors, messuages, lands, tenements, rents, hereditaments, commons, pastures, marts, fairs, markets, court of piepowder, views of frankpledge, and other courts, returns of writs, fisheries, fishings, waters, preserves of waters, banks, rivers, wharfs, tronage, toll, goods and chattels of felons and of felons of themselves, outlaws, waifs, and howsoever convicted and condemned, deodands, estrays, fines, amercements, profits, commodities, advantages, emoluments, authorities, liberties, privileges, franchises, customs, rights, jurisdictions, immunities, acquittances and exemptions according to the true intent of these our letters patent, without let or hindrance of us, our heirs or successors, of the justices, sheriffs, bailiffs, officers and ministers of us, our heirs or successors whomsoever.

Although express mention of the true yearly value, or of the certainty of the premises, or of any of them, or of other gifts or grants by us to the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid before this made, be not made in these presents, or any act, ordinance, provision, proclamation or restriction to the contrary thereof before this had, made, issued,

ordained or provided, or any other thing, causes or matter whatsoever in anything notwithstanding.

In witness whereof these our letters we have caused to be made patent.

Witness myself at Westminster, the fifteenth day of September in the fourth year of our reign.

By the King himself.

PIGOTT.

(Patent Roll, 4 James II., part 24, No. 2).

[NOTE.—The foregoing Translation was collated with the original Charter by MR. ISAAC H. JEAYES of the British Museum].



Charter of 5 William and Mary,

27TH JULY, 1693.

William and Mary, by the grace of God, King and Queen of England, Scotland, France, and Ireland, Defenders of the Faith, to all to whom our present letters shall come, greeting.

We have inspected certain Letters Patent under the Great Seal of England, bearing date at Westminster, the third day of August in the fifteenth year of the reign of our dearest uncle Charles late King of England, &c., made and granted to the Mayor and Commonalty of the Borough of Colchester in these words:

[Here follows verbatim the Letters Patent of 15 Charles II., printed on pages 104 to 126 of this volume].

We, therefore, holding established and agreeable all and singular the franchises, liberties, privileges, quittances, immunities, grants and confirmations aforesaid, do for us, our heirs and successors, as much as in us doth lie, accept, approve and ratify, and by the tenor of these presents do grant and confirm all and singular the franchises, liberties, privileges, quittances and immunities aforesaid to our beloved the Mayor and Commonalty of the Borough and to their successors, as the Charter or Letters Patent aforesaid do reasonably testify. And as the same Mayor and Commonalty of the same Borough of Colchester or their predecessors ever ought, could or have ought to use and enjoy the franchises, liberties, privileges, quittances and immunities aforesaid, although the said Mayor and Commonalty of the same Borough or their predecessors have abused or not used the franchises, liberties, privileges, quittances and immunities aforesaid or any of them.

And whereas it is given us to understand that by pretext of a certain instrument or writing to which the Common Seal of the Mayor and Commonalty of the Borough aforesaid by the combination of a few of the same Borough had been placed and affixed, bearing date the twenty-third day

of June, in thirty-sixth year of the reign of the lord Charles the Second, late King, our ancestor, (of happy memory) and inrolled of record in the Court of Chancery of the same late King, purporting to be a grant by the aforesaid Mayor and Commonalty to the same late King, his heirs and successors, of all and singular the manors, messuages, lands, tenements, rents and hereditaments with the appurtenances whatsoever, of or in which the said Mayor and Commonalty then, or at any time previously, were in any way seized, interested or possessed by right of their corporation or in their corporate capacity by any means whatsoever, and also purporting to be a grant, surrender and delivering up by the aforesaid Mayor and Commonalty to the same late King of all their franchises, charters, letters patent of incorporation, powers, privileges, liberties and immunities whatsoever at any time or times granted, or held or enjoyed, by the aforesaid Mayor and Commonalty, or by any of their predecessors, by any ways or means or by whatsoever name or names, also that as well by reason of the aforesaid pretended grant and surrender as by pretext or colour of divers charters or letters patent of incorporation by the said late King Charles the Second and by James the Second late King made and granted or mentioned to be granted, after the date of the said instrument or pretended surrender, divers doubts, questions and controversies have arisen of and concerning the liberties, franchises, customs, lands and possessions of the Mayor and Commonalty of the Borough aforesaid. And also of and concerning the election and continuation of certain officers of the Borough aforesaid.

Know ye, therefore, that we, graciously affecting the peace, tranquillity and good governance of the same Borough and Commonalty and the inhabitants of the same and designing to take away all the said doubts, questions and controversies in this behalf, of our special grace, and of our certain knowledge and mere motion, do will and grant that he who was Mayor of the Borough aforesaid on the thirtieth day of September in the year of our Lord one thousand six hundred and eighty-four shall be and continue Mayor of the same Borough until the election and admission of another person to that office in the form below in these presents directed.

And further we will, and by these presents for us, our heirs and successors, do grant to the Mayor and Commonalty of the Borough aforesaid, and to their successors, full power and authority at any time or times within the space of two months next after the date of these presents to elect, nominate and constitute any persons of the same Borough to the office of Recorder, Alderman, Assistant and of the Common Council of the same Borough and to become and be Recorder, Alderman, Assistant and of the

Common Council of the same Borough according to the tenor and effect of the aforesaid Charters by these presents confirmed and ratified to supply the place of Recorder, and to complete the number of eleven Aldermen, eighteen Assistants and eighteen of the Common Council of the Borough aforesaid as often as it shall be necessary within the said space of two months next after the date of these presents.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the Mayor and Commonalty of the Borough aforesaid, and to their successors, that after such election and expiration of two months aforesaid next after the date of these presents, as is aforesaid, it may and shall be lawful for the Mayor and Commonalty of the Borough aforesaid, and their successors, from time to time, and at all times for ever, to elect, nominate and constitute fit persons to the offices of Mayor, Recorder, Alderman, Assistant and of the Common Council of the Borough aforesaid, and to the other offices and to become and be Mayor, Alderman, Recorder, Assistant and of the Common Council of the same Borough and other Officers in such manner and form as in the same Borough has been usual and accustomed before the day of the date of the aforesaid pretended surrender, to wit, the aforesaid twenty-third day of June in the thirty-sixth year of the reign of the said late King Charles the Second or at any time previously.

And of our fuller special grace and of our certain knowledge and mere motion we have pardoned, remitted and released, and by these presents, for us, our heirs and successors, do pardon, remit and release to the Mayor and Commonalty of the Borough aforesaid all and singular the things, matters, contempts, crimes, offences and transgressions by themselves done, committed or perpetrated of, for, in or concerning the execution or non-execution or ill execution of any offices within the Borough aforesaid, the limits or precinct of the same, at any time or times after the aforesaid twenty-third day of June, in the thirty-sixth year abovesaid of the said late King Charles the Second.

And also we have pardoned, remitted and released, and by these presents for us, our heirs and successors, do pardon, remit and release to all and singular of the Commonalty of the Borough of Colchester aforesaid all and singular things, matters, contempts, crimes, offences and transgressions whatsoever by themselves or any one or any of them severally or jointly done, committed or perpetrated of, for or in the execution of any office or of any offices within the Borough aforesaid, the limits or precinct of the same, by colour or pretext of any letters patent of the aforesaid late Kings Charles

the Second and James the Second or either of them at any time or times after the aforesaid twenty-third day of June in the abovesaid thirty-sixth year of the said late King Charles the Second.

And further, of our fuller special grace, and of our certain knowledge and mere motion, we have given, granted, restored, confirmed, approved and ratified, and by these presents for us, our heirs and successors, do give, grant, restore, confirm, approve and ratify to the Mayor and Commonalty of the Borough of Colchester aforesaid, and to their successors, all and all manner of manors, messuages, mills, rents, lands, tenements, tithes, meadows, feedings, pastures, commons, fairs, markets and so many, so great, such, the same and such like powers, prescriptions, liberties, privileges, franchises, immunities, jurisdictions, charters, letters patent of incorporation, customs, profits, offices, officers, exemptions, acquittances, wastes, void places, commodities, emoluments, goods, chattels and hereditaments whatsoever, as many as, such, how many, how great, of what sort and what by the said letters patent bearing date the said third day of August in the fifteenth year of the reign of the said late King Charles the Second were granted and confirmed, or mentioned to be granted and confirmed or by any other the aforesaid Letters Patent granted or mentioned to be granted or confirmed to the Mayor and Commonalty of the Borough aforesaid, or which the Mayor and Commonalty of the Borough aforesaid or their predecessors, by whatsoever name, or whatsoever names of incorporation before the said twenty-third day of June in the abovesaid thirty-sixth year of the reign of the said late King Charles the Second had, held, used or enjoyed or occupied, or ought or could have had, held, used or enjoyed to them, and to their successors, by reason or pretext of the said several Letters Patent or any, or any one of them, or of the other Charters, grants or Letters Patent whatsoever by any of our progenitors or ancestors, late kings or queens of England, in any way made, granted or confirmed before the said twenty-third day of June in the thirty-sixth year of the reign of the said late King Charles the Second or in whatsoever other lawful manner, right or title, custom, use or prescription before the date of these presents lawfully used, had, accustomed or enjoyed.

And whereas it is given to us to understand that certain persons, inhabitants of the aforesaid Borough of Colchester, after the time of the aforesaid pretended surrender, taking upon themselves to be a body corporate by the name of the Mayor and Commonalty of the Borough of Colchester in the county of Essex, by pretext or colour of certain letters patent of the aforesaid late Kings Charles the Second and James the Second made, did make divers demises or pretended demises to divers persons of divers lands, tenements and hereditaments to the Mayor and Commonalty of the Borough of Colchester at

the time of the aforesaid surrender belonging and appertaining and did have and receive divers sums of money by pretext of the said demises or pretended demises.

And because we are unwilling that such persons to whom such demises, or pretended demises, had been made in good faith and for valuable consideration should be in any wise deprived or frustrated from such their farms, we have of our special grace, and of our certain knowledge and mere motion, granted and confirmed, and by these presents for us, our heirs and successors, do grant and confirm to all and each such person and persons to whom any such demise, or pretended demise, or any such demises, or pretended demises, had been made in respect of any lands, tenements or hereditaments aforesaid that each such person and persons henceforth do respectively have, hold and enjoy, and may and can have, hold and enjoy all the lands, tenements and hereditaments to them or any one or any of them for valuable consideration in good faith so demised, or pretended to be demised, for the rest of the respective terms in each such demise limited under the yearly rents, conditions, covenants and agreements in such demises specified, and according to the true purport of the said demise or pretended demise.

And further we will, and by these presents for us, our heirs and successors, do grant to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors for ever, that they and their successors may have, hold and keep within the Borough aforesaid yearly for ever one market each Tuesday in each week for the buying and selling of all and singular goods, wares and merchandizes. And also one fair in the year, each year for ever, to begin in and upon the twelfth day of July and to last for two entire days then next following. And if the aforesaid twelfth day of July should happen to be a Sunday, then that fair to begin in and upon the Monday then next following, and to last for two entire days then next to come.

And if the aforesaid twelfth day of July shall happen to be a Saturday or Friday, then the fair aforesaid to begin in and upon the Thursday before the aforesaid Saturday or Friday and to last for two entire days then next following, together with the court of piepowder there at the time of the same fair to be held. Also together with all and singular, so many, so great, such, and such like liberties and free customs to such court, fair and market pertaining, together with toll, stallage, piccage, fines, amercements and all other profits, commodities and emoluments whatsoever to such market, fair and court of piepowder coming, happening, arising or touching.

And that at the time of the market and fair aforesaid, and each of them, the Mayor of the Borough aforesaid, for the time being, may have, perceive and collect by himself, or by his deputy, to the use of the Mayor and Commonalty of the Borough aforesaid, reasonable tax and toll of all and all manner of merchandize, wares, chattels, weights, measures and other things and commodities in the said market and fair bought or sold, together with all and singular profits, perquisites and sums of money aforesaid, so that the market and fair aforesaid be not to the damage or prejudice of us, or of any other person whomsoever, or of any other persons whomsoever.

In witness whereof we have caused these our letters to be made patent.

Witness ourselves at Westminster the twenty-seventh day of July in the fifth year of our reign.

By Writ of Privy Seal.

(Patent Roll, 5 William and Mary, part 7.)

[NOTE.—The foregoing Translation was collated with the original Charter by Mr. ISAAC H. JEAYES, of the British Museum.]

Borough of



Colchester.

Charter of 3 George III.

9TH SEPTEMBER, 1763.

George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c., to all to whom these presents shall come, greeting.

Whereas the Borough of Colchester, in our County of Essex, is one of the most ancient boroughs of our kingdom, and is large and populous, containing in itself four Wards, and chiefly inhabited by Burgesses carrying on the woollen manufacture and merchandize.

And whereas the Burgesses of the said Borough, as well by means of divers Charters and Letters Patent heretofore made and granted to them, and their predecessors, by several of our progenitors and ancestors, Kings and Queens of England, as by prescription and custom, from time whereof the memory of man is not to the contrary, have used and enjoyed, within the said borough, divers liberties, franchises, freedoms, immunities and privileges.

And whereas also Richard the First, King of England, by Letters Patent, bearing date the sixth day of December, in the first year of his reign, did grant to the Burgesses of the said Borough that they should appoint from amongst themselves whomsoever they would for Bailiffs and Justices.

And whereas Edward the Fourth, heretofore King of England, did by his Letters Patent, sealed with the great seal of England, bearing date at Westminster the first day of March, in the first year of his reign, grant to the Bailiffs and Burgesses of the said Borough that they and their successors, Burgesses of that Borough, should for ever after consist of two Bailiffs and one Commonalty and be a perpetual body and one perpetual Commonalty in deed, fact and name and should have perpetual succession.

And whereas Charles the Second, King of England, did by his Letters Patent, under the great seal of England, bearing date at Westminster the third day of August, in the fifteenth year of his reign, grant to the same Bailiffs and Commonalty of the said Borough that the free Burgesses of the said

Borough, the Bailiffs and Commonalty of the same, and their successors, should be for ever then after one body corporate and politic, in deed, fact, and name; by the name of Mayor and Commonalty of the Borough of Colchester, in the County of Essex, and by the same Letters Patent did make, create, confirm, and declare them to be one body corporate and politic, really and fully, in deed, fact, and name.

And whereas William and Mary, late King and Queen of England, by their Letters Patent, sealed with the great seal of England, bearing date at Westminster, the twenty-seventh day of July, in the fifth year of their reign, reciting the said Letters Patent of King Charles the Second, did, for themselves, their heirs and successors, ratify and confirm the same, and did also grant and confirm to the aforesaid Mayor and Commonalty, and their successors, all and singular the franchises, liberties, privileges, freedoms, and immunities, which the same Mayor and Commonalty of the said Borough of Colchester, or their predecessors, ever had, could, or ought to use and enjoy, together with all their manors and hereditaments whatsoever, as by the said several Charters and Letters Patent, relation being thereunto had, may more fully appear.

And whereas it hath been represented unto us, by the humble petition of the Burgesses of our said Borough of Colchester, on behalf of themselves and the rest of the Burgesses there, that divers disputes having of late time arisen within the said Town and Corporation, and informations in nature of *Quo Warranto* having been prosecuted in our Court of King's Bench, and Judgments of Ouster obtained against several of the then acting Magistrates of the said Corporation, so that the said Corporation is now dissolved, or at least incapable of enjoying and exercising their said liberties and franchises; we, willing that the petitioners may be relieved in their complaints, as far as in us lies, and that there may be one certain and undoubted method of preserving our peace within the said borough, and that our people may enjoy their rights there and exercise acts of justice without any further delay.

Know ye therefore, that we, at the humble petition of the Burgesses of our said Borough of Colchester, in the County of Essex, on behalf of themselves and the rest of the Burgesses there, and by and with the advice of our Privy Council, of our especial grace, certain knowledge and mere motion, have willed, granted, ordained, constituted and declared, and by these presents, for us, our heirs and successors, do will, grant, ordain, constitute, and declare, that the said Borough of Colchester, in our County of Essex, may and shall be, and remain for ever hereafter, a free borough of itself terminated by all

its ancient and former metes and bounds; and that the men, Free Burgesses of the same borough, by whatsoever name or names of incorporation or incorporations, they have heretofore been incorporated or called, and whether they have heretofore been incorporated or not, shall and may be for ever hereafter one body corporate and politic, in deed, and in name, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex. And them, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, one body corporate and politic, in deed, fact, and name, we have made, created, confirmed, and declared; and by these presents, really and fully, for us, our heirs and successors, do make, create, confirm and declare; and that by the same name they shall have perpetual succession; and that they, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, shall and may be for ever hereafter persons able and capable in law to have, take, purchase, receive and possess manors, lands, tenements, rents, liberties, privileges, jurisdictions, franchises, and hereditaments of whatsoever kind, nature, name, or species they shall be, to them and their successors, in fee and perpetuity, or for any term whatsoever; and also goods and chattels, or any things of whatsoever kind, nature, or species they shall be; and also to give, grant, demise, assign, and dispose of manors, lands, tenements, hereditaments, goods and chattels; and to do and execute all and singular other matters and things concerning the borough aforesaid by the name aforesaid; and that by the same name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, they shall and may be able to plead and to be impleaded, answer and be answered unto, defend and be defended, in all and singular actions, pleas, suits, complaints, causes, matters and demands, real, personal, or mixed, whatsoever, and of whatsoever kind, in whatsoever courts, and before whatsoever Judges or Justices, or other Officers or Ministers of us, our heirs and successors, moved or to be moved in the same manner and form, as any other our liege people of our Kingdom of England, being persons able and capable in the law, or any other body, corporate and politic, within our Kingdom of England, may or shall be able to have, take, purchase, possess, give, grant, demise, assign or dispose, or to plead or be impleaded, answer or be answered unto, defend or be defended. And that the Mayor and Commonalty of the Borough aforesaid, and their successors for ever hereafter shall have a common seal to serve for all causes and businesses in any manner concerning the Borough aforesaid; and that it shall and may be lawful for the same Mayor and Commonalty, and their successors, the same seal, at their will, from time to time to break, alter, and make anew, as to them shall seem expedient.

And further we will, and by these presents, for us, our heirs and successors, we do declare, that for ever hereafter there shall and may, within the Borough aforesaid, to be nominated and chosen out of the Free Burgesses of that Borough, in the manner in these presents hereafter expressed, one, who shall be called the Mayor, eleven others who shall be called the Aldermen, eighteen others who shall be called the Assistants, and eighteen others who shall be called the Common Council of the same Borough; which said Mayor shall likewise be an Alderman of the said Borough; and which said eleven Aldermen, eighteen Assistants and eighteen of the Common Council of the Borough aforesaid, from time to time, shall be counselling, aiding and assisting to the Mayor of the same Borough, for the time being, in all causes, matters and business touching or in any wise concerning that Borough.

And further we will, and by these presents, for us our heirs and successors do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that yearly, from henceforth for ever that is to say, on the Monday which shall first happen after the Feast of the Decollation of St. John Baptist, it shall and may be lawful, as well for the Free Burgesses of the Commonalty of the Borough aforesaid, for the time being, or the major part of them, (except as hereafter excepted) to nominate two of the Aldermen of the Borough aforesaid, for the time being, as for the Mayor of the Borough aforesaid for the time being, and the residue of the Aldermen or the major part of them, after that nomination so made, to elect one of the same Aldermen so nominated to be the Mayor of the Borough aforesaid; and that he who shall be so chosen to be the Mayor of the Borough aforesaid, after that election made, and before he shall be admitted to execute the office of Mayor, that is to say, on the Feast Day of St. Michael the Archangel next following after such his election, shall take his corporal oath upon the Holy Evangelists, before the last Mayor of the Borough aforesaid, for the time being, his predecessor, and before the residue of the Aldermen, Assistants and Common Council of that Borough, for the time being, or so many of them as shall be then present, of whom we will the said last Mayor, if he be living, to be one, to execute his office of Mayor of the Borough aforesaid, rightfully and faithfully in all things touching that office; and after that oath so taken, he shall and may be able to execute the office of Mayor of the Borough aforesaid, for one whole year, then next following, and from thence, until another person into that office shall be duly elected, preferred and sworn; and so from year to year, in every year for ever. And as often as any person who shall be elected into the office of Mayor of the said Borough shall die, or refuse to take upon him the office of Mayor of the said Borough, before he has taken such oath, we will that the like nomination

and election shall be speedily made of another person; and he that shall be new elected, shall take the like oath to execute the office of Mayor of the said Borough, and shall and may execute the said office as aforesaid; and if it shall happen that the Mayor of the said borough, for the time being, shall die at any time within the year, after he hath been so as aforesaid elected, preferred and sworn into the office of Mayor of that borough, we will, and by these presents, for us, our heirs, and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that after the death of such Mayor, that is to say, at a convenient and fit time, not to be protracted by unnecessary delays, it shall and may be lawful, as well for the Free Burgesses of the Commonalty of the Borough aforesaid, for the time being (except as hereafter excepted), or the major part of them, to nominate two of the Aldermen of the Borough aforesaid, in form aforesaid, as for the residue of the Aldermen not named, or the major part of them, after such nomination made, to choose, prefer, and swear one of the same Aldermen so nominated Mayor of the said Borough in the place and office of the same Mayor so dead; and that he who shall be so elected, preferred and sworn to be Mayor of the Borough aforesaid shall hold and exercise the said office, during the remainder of the same year, and from thenceforth until another person shall be duly elected, preferred and sworn into that office, in form aforesaid; and in the meantime, the Alderman first in order, after the aforesaid Mayor so dying (who shall be in the Borough aforesaid during the vacancy of such Mayoralty), shall officiate as Mayor, and so from time to time, as often as the case shall so happen, for ever.

And moreover we will, and by these presents we do declare, that each of the Aldermen aforesaid, in form in these presents hereafter to be elected, after that he is chosen into the office of an Alderman of the Borough aforesaid, and before he shall be admitted to exercise that office, shall take his corporal oath before the Mayor, residue of the Aldermen, Assistants, and Common Council of the Borough aforesaid, for the time being, or so many of them as shall be present; whereof the Mayor of the Borough aforesaid for the time being we will to be one, rightly and faithfully to execute the office of Alderman of the said Borough, in all things touching and concerning the same office; and after the said oath so taken, we will, and by these presents, for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that such person, so sworn into the office of Alderman of the same Borough, shall use and exercise the same during his natural life, unless in the meantime he shall be removed from that office, in form and for the cause hereafter mentioned.

And if it shall happen that any of the aforesaid Aldermen of the Borough aforesaid, by these presents hereafter appointed, or by virtue thereof hereafter to be chosen, shall die, or be removed from their office, then, after the death or removal of such Aldermen, that is to say, at a convenient and fit time, not to be protracted by unnecessary delays, it shall and may be lawful, as well for the Free Burgesses of the Commonalty of the Borough aforesaid, for the time being (except hereafter excepted), or the major part of them, to nominate two of the Assistants of the same borough, for the time being, so that neither of them exercise the business of an alehousekeeper, brewer, or maltster, as for the Mayor, the residue of the Aldermen then surviving, the residue of the Assistants not named, and the Common Council of the Borough aforesaid, for the time being, or the major part of them, after such nomination made, to choose and prefer one of the same Assistants so named, into the office of an Alderman of the said Borough, in the place and office of such Alderman so dead or removed, to supply the aforesaid number of Aldermen of the Borough aforesaid; and so from time to time, as often as the case shall so happen, for ever.

We will also, by these presents, that each of the Assistants aforesaid, to be chosen in the manner hereafter in these presents mentioned, after he is chosen an Assistant of the Borough aforesaid, and before he is admitted to exercise the office of an Assistant of the said Borough, shall take his corporal oath before the Mayor, Aldermen, residue of the Assistants, and the Common Council of the Borough aforesaid, for the time being, or so many of them as shall be then present, of whom the Mayor of the Borough aforesaid for the time being we will to be one, truly and faithfully to execute the office of an Assistant of the said Borough, in all things touching or concerning the said office; and after such oath so taken, we will, and by these presents, for us, our heirs and successors, we do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that such person so sworn an Assistant of the same Borough, shall exercise and use the same office for and during the term of his natural life, unless in the meantime he shall be chosen and preferred to be one of the Aldermen of the said Borough, or for any cause or in form hereinafter mentioned, shall be removed from the said office; and if it shall happen any of the aforesaid Assistants of the Borough aforesaid, appointed by these presents, or hereafter to be chosen by virtue of the same, shall die, or be removed from his office of Assistant of the same Borough, then, after the death or removal of such Assistant, that is to say, at a convenient and fit time, not to be protracted by unnecessary delays, it shall and may be lawful for the Free Burgesses of the Commonalty of the Borough

aforesaid, for the time being (except hereafter excepted), or the major part of them, to choose and prefer one of the aforesaid eighteen Common Council men of the Borough aforesaid, for the time being, into the place of an Assistant of that Borough, in the room and stead of such Assistant so dying, or being removed, to supply the aforesaid number of Assistants of the Borough aforesaid; and so from time to time, as often as the case shall so happen, for ever.

And moreover we will, and by these presents do declare, that every Common Council man of the said Borough, to be chosen in manner hereafter in these presents expressed, after that he is chosen one of the Common Council of the said Borough, and before he is admitted to exercise the office of Common Council man within the said Borough shall take his corporal oath, before the Mayor, Aldermen, Assistants, and residue of the Common Council of the Borough aforesaid, for the time being, or so many of them as shall be present, whereof the Mayor of the said Borough for the time being to be always one, truly and faithfully to execute the office of a Common Council man of the said Borough, touching and concerning all things belonging to the said office, and that after such oath so taken, we will and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that the said person, so sworn into the said office of one of the Common Council of the said Borough, shall exercise and use the same during the term of his natural life, unless in the meantime he shall be elected and preferred to be one of the Assistants of the Borough aforesaid, or for any cause hereafter mentioned, he shall be removed from his said office. And if it shall happen that any Common Council man of the Borough aforesaid, by these presents appointed, or to be chosen hereafter by virtue of the same, shall die, or be removed from his office of one of the Common Council of the said Borough, then, after the death or removal of such Common Council man, that is to say, at a fit and convenient time, not to be protracted by unnecessary delays, it shall and may be lawful, as well for the free Burgesses of the Commonalty of the Borough aforesaid for the time being, (except hereafter excepted), or the major part of them, to nominate two fit men of the worthiest and most discreet Free Burgesses of the Commonalty of the said Borough, as for the Mayor, Aldermen, Assistants, and residue of the Common Council of the Borough aforesaid, for the time being, or the major part of them, after such nomination made, to choose and prefer one of the same two men, so nominated, into the office of one of the Common Council of the said Borough, in the place of the Common Council man so dying or being removed, to supply the number of eighteen Common Council men of the said Borough, and this from time to time, as often as the case shall so happen, for ever.

Moreover we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that if any person, who shall be hereafter in due manner elected to the office of Mayor, Alderman, Assistant and Common Council, or to any other office within the said Borough, being a member of the body of the said Borough, so as aforesaid incorporated, and partaking of the Freedom thereof, and having notice of such his election, shall refuse to exercise the office to which he shall be so chosen, that then and so often it shall and may be lawful for the Mayor, Aldermen, Assistants and Common Council of the said Borough for the time being, or the major part of them, to impose and set a reasonable fine or amerciamment upon every such person so refusing, for such his refusal after such election as aforesaid, and if any one so refusing shall neglect and refuse to pay the fine or amerciamment so imposed upon him, that then, and so often as the said case shall so happen, to commit every such person so refusing to any of our prisons within the Borough aforesaid, and there to detain him or them until he or they shall pay, or cause to be paid, such fine or amerciamment.

And further we will, and by these presents ordain that for ever hereafter there shall and may be, within the Borough aforesaid, an High Steward to advise and direct the Mayor and Commonalty of the said Borough in the most important affairs touching the said Borough, which said High Steward shall continue in his office of High Steward of the Borough aforesaid during his natural life, unless in the meantime, of his own free will, he shall freely and voluntarily relinquish that office. And if it shall happen that any High Steward of the said Borough, by these presents appointed, or hereafter to be chosen by virtue thereof, shall die or resign his said office, in such case we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that after the death or resignation of such High Steward, that is to say, at a convenient and fit time, not to be protracted by unnecessary delays, it shall and may be lawful for the Mayor, Aldermen, Assistants, Common Council, and Free Burgesses of the Commonalty of the Borough aforesaid, for the time being (except as hereinafter excepted), or the major part of them, to choose and prefer one other person to be High Steward of the said Borough, in the place of such High Steward so dead or resigning, and this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that for ever hereafter they shall

and may have, in the Borough aforesaid, a man of probity, fitly skilled in the law, to be chosen in the manner in these presents expressed, who shall be called Recorder of the said Borough, to advise and direct the Mayor and Commonalty of the said Borough in whatsoever business shall arise touching or concerning the same Borough and to do and execute all other things which do belong to the office of Recorder within the said Borough, either by himself or by his sufficient deputy; and that the same person so to be chosen Recorder, after that he is chosen Recorder of the said Borough, and before he shall be admitted to execute the office of Recorder within the said Borough, shall take his corporal oath before the Mayor, Aldermen, Assistants, and Common Council of the said Borough for the time being, or so many of them as shall be present, of whom we will the Mayor to be one, truly and faithfully to execute the office of Recorder of the said Borough in all things touching or concerning that office; and that after such oath so taken, he shall exercise and use the office of Recorder of the said Borough during the term of his natural life, by himself, or his sufficient deputy, unless in the meantime he shall, of his own accord, voluntarily relinquish the said office, or shall be removed for any cause hereinafter mentioned. And if it shall happen that any Recorder of the said Borough appointed by these presents, or hereafter to be chosen by virtue thereof, shall happen to die, or resign his office, or be removed therefrom, we will, and by these presents for us, our heirs and successors, do further grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that after the death, resignation, or removal of such Recorder, that is to say, at a fit and convenient time, and not to be protracted by unnecessary delays, it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common Council of the said Borough, for the time being, and the rest of the Burgesses of the said Borough (except hereafter excepted), or the major part of them, to choose and prefer one other man of probity, fitly skilled in the law, into the office of Recorder of the said Borough, in the room of such Recorder so dying, resigning, or being removed; and so from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do ordain, that for ever hereafter there shall and may be, within the said Borough, one experienced and honest man who shall be called Town Clerk, or Common Clerk, of the said Borough, to be chosen by the Recorder of the said Borough for the time being, who, by himself, or his sufficient deputy, shall write and prepare all recognizances to be taken and acknowledged before the Mayor of the Borough aforesaid, or any other Justice assigned to preserve the peace within the same Borough, for the time being; and the said recognizances, so taken and acknowledged, shall transcribe and engross upon

parchment; and all and singular laws, ordinances, constitutions, and provisions which shall be ordained, established, or made by the Mayor, Aldermen, Assistants, and Common Council of the said Borough, for the time being, or the major part of them, in their Assemblies in the Town Hall, within the said Borough, for the good rule and government of the said Borough, and all processes and acts of court, at the Sessions of the Peace, to be held in and for the said Borough, and all actions, complaints, pleas, processes, and acts of court, in whatsoever other courts within the said Borough, shall enrol; and shall write and prepare all deeds, writings, charters, and muniments, concerning the Mayor and Commonalty of the said Borough, and their successors, in their corporate or politick capacity; and shall faithfully do and execute all other things which appertain to the office of Town Clerk, or Common Clerk, of the said Borough. Which said Town Clerk, or Common Clerk, of the said Borough, before that he is, or shall be admitted to exercise that office within the said Borough, shall take his corporal oath, before the said Mayor, Aldermen, Assistants, and Common Council of the said Borough, for the time being, or so many of them as shall be present, whereof the Mayor of the said Borough, for the time being, we will always to be one, truly and faithfully to execute, by himself or his sufficient deputy, the office of Town Clerk in all things touching and concerning the said office; and that after such oath taken, he shall and may use and exercise the office of Town Clerk, or Common Clerk, of the Borough aforesaid, by himself, or his sufficient deputy, during the pleasure of the Recorder of the said Borough; and also shall receive all the lawful fees and profits belonging to his said office of Town Clerk, during such time as he shall continue and be in his said office of Town Clerk, as aforesaid.

And because the dignity of the body corporate may not be wholly lost by the non-observance of what is ornamental, we therefore will, and by these presents, for us, our heirs and successors, do ordain that the Mayor of the said Borough, for the time being, cloathed in a Mayor's gown, and the Aldermen, Assistants, and Common Council of the said Borough, for the time being, cloathed with garments suitable to their respective offices, shall, upon Sundays, Festivals, and Holy Days, go from the Mayor's dwelling house within the said Borough, to church, to attend the performance of Divine service; and that the Serjeants at Mace for the said Borough for the time being together with the other officers of the said Borough shall be attending on the Mayor which Serjeants at Mace shall bear and carry before the said Mayor a silver mace, engraven and ornamented with our Arms.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the

said Borough, and their successors, that for ever hereafter it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common Council of the Borough aforesaid, for the time being, and the rest of the Burgesses of the said Borough (except as hereinafter excepted), or the major part of them, as often as need shall require, to remove every. or any Aldermen, Assistant, and Common Council man, and every Recorder of the said Borough above appointed, or hereafter to be chosen, by virtue of these presents, from his or their office, or offices, for misbehaviour therein, or for any other just and reasonable cause.

And we further will, and by these presents ordain, that in every election hereafter to be made, of any Officer or Minister, within the said Borough, in which the Mayor of the said Borough, for the time being, shall have a vote, and the voters shall be equally divided in their votes, then, and in every such case, the Mayor of the said Borough, for the time being, shall have a double, or casting vote, and in all nominations and elections hereafter to be made within the said Borough, in which the Free Burgesses of the Commonalty of the said Borough shall have votes; to the end that faction and division amongst the voters may, as far as possible be taken away and removed; and that no person who is unworthy or unfit to be an Officer, or Minister, within the said Borough, may be preferred through favour or interest, we do further will, and by these presents declare, that no Free Burgess of the said borough, who, at the time of any nomination and election to be made, shall use the trade of a baker, alehousekeeper, or butcher, or shall hold or keep a common inn, tavern, or victualling house, or shall serve as chamberlain, or drawer, or in any other manner, in a common inn, tavern, or victualling house, or serve another person in any business or mystery, for wages or salary, or is not a master of a family within the borough aforesaid, and does not pay scot and lot there, or shall be found guilty of felony, adultery, fornication, drunkenness, or profanation of the most holy name of God by frequent oaths, or convicted of any crime punishable by the laws and statutes of this realm, or who live by alms, shall ever hereafter have a vote in any such nomination or election, in any manner howsoever.

And for the better government of the said Borough, for the present, we have nominated, created, constituted, and made, and by these presents for us, our heirs and successors, do nominate, create, constitute, and make our beloved Thomas Clamtree, Esq., of the said borough, to be the first and modern Mayor of the said borough; and our beloved Isaac Martin Rebow, Charles Gray, and Henry Bevan, Esqrs., Charles Great, Solomon Smith, William Mayhew, Jordan Harris Lisle, John Clarke, Thomas Wilshire, James Robjnt, and William Hickeriggill, gentlemen of the Borough aforesaid, to be

the first and modern eleven other Aldermen of the said Borough; and our beloved Charles Gilson, Henry Lodge, John Fiske, Joseph Baines, Capt. William Smith, John Alefounder, Benjamin Smith, John Baker, Isaac Green, William Seaber, William Faljard, Joseph Dunningham, John Gilson, Nathaniel Hedge, Samuel Clay, Ephraim Shillito, Francis Merry, and Richard Hayward, of the said Borough, to be the first and modern eighteen Assistants; and our beloved James Mansfield, Barker Holton, John Talworth, Martin Bell, John Sarjant, Robert Brown, William Smith, Robert Wallis, James Mansfield the younger, John Edwards, William Gilson, John Unwin, Thomas Hammond, John Green, Thomas Munnings, Samuel Phillips, William Mason the younger, and John Aldus, of the Borough aforesaid, to be the first and modern eighteen Common Council; and our right trusty, and right well-beloved cousin and councellor, William Henry, Earl of Rochford, to be the first and modern High Steward of the said Borough; and our beloved and faithful Isaac Martin Rebow, Esq., being a man of integrity and skilled in the law, to be the first and modern Recorder of the said Borough; willing that the said Thomas Clamtree shall be and continue Mayor of the said Borough from henceforth until the Feast of Decollation of St. John Baptist next following, and from thence until another shall be duly elected, preferred, and sworn into that office, according to the ordinance and provision in these presents above for that purpose declared, if the same Thomas Clamtree shall so long live; and after his Mayoralty finished, he shall be and continue one of the Aldermen of the said Borough, next in order after the Mayor to be elected as aforesaid, during his natural life, unless in the meantime, for any reasonable cause, he shall be removed from his said office.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that if it shall happen the Mayor of the said Borough, for the time being, shall be prevented by sickness, or be employed in the service of us, our heirs or successors, out of the said Borough, so that he cannot attend the necessary business of the said Borough, touching his office of Mayor of the same Borough, or for any other reasonable cause shall be absent from the said Borough, that then, and so often, it shall and may be lawful for the said Mayor to appoint and constitute, in his place, one honest and discreet man of the Aldermen of the said Borough, for the time being, to be his deputy during such his sickness or absence; which said deputy, so to be appointed and constituted, before he shall be admitted to exercise the office of Deputy-Mayor within the said Borough, shall take his corporal oath, before the Aldermen of the said Borough, for the time being, or

so many of the same Aldermen as shall be present, faithfully to execute his said office; and after such oath, so taken, shall and may do, and cause to be done, all affairs and business touching, or any ways concerning the said Borough, and be present at doing all things which belong to the office of Mayor of the Borough, in the sickness or absence of such Mayor, in as full and ample manner and form as the said Mayor might or could do if he was personally present; and so from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, we do grant and confirm to the aforesaid Mayor and Commonalty of the same Borough, and their successors, that if it shall happen that the Recorder of the Borough aforesaid, for the time being, shall be prevented by sickness, or be otherwise employed, so that he cannot attend the necessary business of the said Borough, touching the office of Recorder of the same Borough, that then, and so often, it may and shall be lawful for the said Recorder to appoint and constitute, in his place, one honest and fit man, skilled in the law, to be his deputy during such his sickness or absence; which said deputy, so to be appointed and constituted, before he executes his office of Deputy-Recorder within the Borough aforesaid, shall take his corporal oath, before the Mayor and Aldermen of the said Borough, for the time being, or the major part of them, whereof we will the Mayor of the said Borough, for the time being, to be one, for the faithful execution of his office; and after such oath, so taken, he shall and may do and execute all and singular such things as belong to the office of Recorder of the said Borough, during the sickness or absence of such Recorder, in as ample manner and form as such Recorder himself might do and execute if personally present; and so from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, we do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common Council of the said Borough, for the time being, or the major part of them, whereof the Mayor of the said Borough, for the time being, we will to be one, together with the Recorder of the said Borough, or his Deputy lawfully appointed, to make, establish and ordain, the form or forms of an oath or oaths, proper to be taken by every Officer and Minister of the said Borough, and by their Deputies aforesaid, from time to time respectively, and the same oath or oaths, so made, established and ordained, to cause to be administered to the same

Officers, Ministers and Deputies respectively, from time to time in form aforesaid, and this without any other commission or warrant to be procured or obtained from us, our heirs or successors, in that behalf.

Moreover we will, and by these presents for us, our heirs and successors, we do grant and confirm to the aforesaid Mayor and Commonalty of the same Borough and their successors, that the Mayor, Aldermen, Assistants and Common Council of the said Borough, for the time being, or the major part of them, whereof we will the Mayor of the said Borough for the time being to be one, shall have from time to time, for ever hereafter, full power and authority to assemble, in the Common Hall of the said Borough and to hold councils there, and in those councils so held, to make, frame, constitute, ordain and establish good, wholesome, honest, useful, necessary and reasonable laws, constitutions, ordinances and provisions, according to their sound discretions, for the good rule and government of the said Borough, and of all and singular the Officers, Ministers, Artificers, Inhabitants, and Resiants within the said Borough, and the bounds, limits, and precincts of the same, and of all others resorting to the said Borough; and for declaring in what method and order the said Mayor, Aldermen, Assistants, and Common Council, and all and singular the Officers and Ministers of the said Borough, shall behave and order themselves within the Borough aforesaid, and the bounds, limits and precincts thereof, upon Sundays, festivals and holy days, for the greater order of the said Borough, and how the said Mayor, Aldermen, Assistants, Common Council, Officers, and Ministers, and all and every the Burgesses, Artificers, Inhabitants and Resiants of the said Borough, shall at all times hereafter behave and order themselves in their several offices, ministries, functions or trades within the said Borough, and the bounds, limits, and precincts thereof, for the publick good, and common utility of the said Borough, and also for victualling the said Borough, and for other matters concerning the said Borough, and for procuring the due execution of the laws, constitutions, ordinances and provisions so framed, constituted, ordained and established, which we will shall be observed under such pains and penalties, by imprisonment of body, or by reasonable fines and amerciaments, or by either of them, to be contained in such laws, constitutions, ordinances and provisions, and imposed on offenders against the same as to the said Mayor, Aldermen, Assistants and Common Council, or the major part of them, whereof the Mayor of the said Borough for the time being to be one, shall seem necessary to be set and imposed for the better observance of the said laws, constitutions, ordinances and provisions, and that all such fines and amerciaments, so to be imposed, shall and may be levied and received for the use of the Mayor and Commonalty of the Borough aforesaid, without the let of us, our heirs or successors,

or any Officers, or Ministers of us, our heirs or successors, and without any account therefore to be rendered to us, our heirs or successors, so nevertheless, that those laws, constitutions, ordinances and provisions, and the fines and penalties in the same contained, shall not be contrary to the laws, statutes or customs of that part of our kingdom of Great Britain called England. And to the end that full and speedy Justice may be the better administered to all our subjects residing there, and resorting thither, as the law requires, we further will and by these presents do ordain, that the Mayor and Recorder of the Borough aforesaid, and their Deputies for the time being and the Alderman who was the last Mayor of the same Borough, and two other Aldermen, shall be yearly chosen Justices of our Peace, in the usual and accustomed manner, and they and each of them shall be the Justice and Justices of us our heirs and successors, to preserve and keep the peace of us, our heirs and successors within the said Borough, and the liberties and precincts thereof, and the statutes and ordinances made at Winchester, Northampton, and Westminster, for the keeping of the same peace; and the statutes and ordinances there and at Cambridge, concerning hunters, workmen, artificers, servants, hostlers, beggars, vagrants, and other men who call themselves travelling men; and also a certain other statute made in the Parliament of the Lord Henry the Fifth, late King of England, holden at Westminster aforesaid, touching the counterfeiting, clipping, washing, and otherwise falsifying the coin of the realm, and also all and singular ordinances and statutes made and to be made for the good and peace of us, our heirs and successors, and the quiet rule and government of the people of us, our heirs and successors, in all articles within the Borough aforesaid, the liberties and precincts thereof, to be kept according to the force, form, and effect of the same, and to chastise and punish all those who shall be found offending against the form of the ordinances and statutes aforesaid according to the said statutes and ordinances, and to cause all such persons to be brought before them who shall threaten the hurt of us, our heirs and successors, or the people of us our heirs and successors concerning their bodies, or by firing of their houses, and to make them find sufficient security for the keeping our peace, and well behaving themselves towards us, and the people of us, our heirs and successors, and if they shall refuse to find such security, then to commit or cause them to be committed to the prison of the said Borough, until they shall find such security.

And moreover, that they or any three of them, whereof the Mayor and Recorder of the Borough aforesaid, or their Deputies, for the time being, we will to be two, shall have full power and authority hereafter for ever, to inquire, by the oaths of good and sufficient men of the Borough aforesaid,

and the liberties and precincts thereof, by whom the truth of the premises may be the better known, of all manner of felonies, trespasses, forestallers, regrators, and extortioners within the said Borough, liberties and precincts thereof, by whomsoever in any manner done or committed, and which shall hereafter happen to be done or committed therein; and also of all and singular other matters and things done, attempted or committed, or which hereafter shall be done, attempted or committed within the said Borough, liberties or precincts thereof, which ought and have been accustomed to be inquired into by the Justices of us, our heirs and successors, and the Justices of us, our heirs and successors, appointed or to be appointed to inquire of such felonies, trespasses and misdemeanors, in any County in that part of our Kingdom of Great Britain, called England, by virtue of the ordinances and statutes aforesaid, heretofore made and done, or hereafter to be made and done; and to hear and determine all and singular the premises, and all other things whatsoever done, attempted or committed or hereafter to be done, attempted or committed within the said Borough, liberties or precincts thereof, which by such the keepers of the peace of us, our heirs and successors, and by the Justices of us, our heirs and successors assigned, and to be assigned, to hear and determine such felonies, trespasses, and misdemeanours in any County, in that part of our Kingdom of Great Britain called England, by virtue of the ordinances and statutes aforesaid, may be heard and determined, and which used, and ought to be by them, the said Mayor and Recorder, and their deputies and Aldermen, of the said Borough, or any three of them whereof the Mayor and Recorder of the said Borough, or their deputies for the time being, we will to be two, heard and determined, according to the laws and customs of that part of our Kingdom of Great Britain, called England, and the form of the ordinances and statutes aforesaid; so that all writs, precepts, and other warrants, for all and singular the premises aforesaid, be made and directed to the Officers of the Borough aforesaid and shall be executed by them, without any other writ, precept or warrant, in any manner to be directed to or by the Sheriff or Coroner of us, our heirs and successors, within our County of Essex, so that the Justices of the Peace of us, our heirs and successors, assigned, or to be assigned, to hear and determine all such felonies, trespasses and misdemeanours, done and perpetrated, or to be done and perpetrated, in the said County of Essex, or any of them, may not enter the Borough aforesaid, or the liberties or precincts thereof, nor in any manner, nor under any pretence intermeddle, or do anything belonging or appertaining to such Justices of Peace within the said Borough.

We will also, that every such Mayor and Recorder of the said Borough, and their deputies, and the aforesaid three Aldermen of the said

Borough, for the time being, before that he shall be admitted to exercise the office of a Justice of the Peace within the said Borough, shall respectively take his corporal oath upon the Holy Evangelists of God, well and truly to exercise the office of Justice of the Peace within the said Borough, the liberties and precincts thereof, according to the laws and statutes of this realm, in such cases made and provided, that is to say, the Mayor and his deputy, and the aforesaid three Aldermen, before the Recorder aforesaid, or his deputy, and the Recorder and his Deputy before the Mayor or his deputy for the time being, to which said Mayor and Recorder, and their deputies, we do give, grant and confirm, by these presents, full power and authority to administer such oath as aforesaid, without any other warrant or commission from us, our heirs or successors, to be had or obtained in that behalf.

And that nothing may be permitted in the said Borough whereby the Burgesses of the said Borough may be induced to become vicious or to disturb our peace within the said Borough, we will that the Justices appointed to keep the peace within the said Borough, for the time being, shall not hereafter permit any person to retail Ale or Beer, hopped or unhopped, within the said Borough without a lawful licence, in that behalf first had and obtained; and that they may not rashly and inconsiderately grant licence to any person, we will that such licence, so granted, be made in writing and subscribed with the hands of two of the Justices aforesaid, whereof the Mayor of the Borough aforesaid, for the time being, we will to be one; otherwise such licence shall be void.

And further we will, and by these presents for us, our heirs and successors, we do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that for ever hereafter it shall and may be lawful for the Mayor and Recorder of the said Borough, and their Deputies, and the aforesaid three Aldermen of the said Borough for the time being, or any three of them, whereof the Mayor and Recorder of the said Borough, or their Deputies, for the time being, we will shall be two, in every year, at four times of the year, according to the form of the statute in that case made and provided, to hold and keep within the Common Hall of the said Borough, or in any other convenient place within the said Borough, and the liberties and precincts thereof, the sessions of the peace, concerning all matters, things, causes and offences, happening, accruing, arising, done or committed within the said Borough, liberties and precincts thereof; and to do and execute all things in the said sessions of the peace, in as ample manner and form as the said Justices of the Peace of our said County of Essex might and may do and

execute, in the like cases, at the sessions to be holden in and for the said County.

Moreover we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that the Mayor and Recorder of the said Borough, or their Deputies for the time being, shall for ever hereafter have the cognizance of all pleas, as well real as personal and mixt, and of all other pleas whatsoever, of lands and tenements within the said Borough, liberties and precincts thereof, and also of pleas of assize, novel disseisin, mort d'ancestor, redisseisin, attainders, and certificates of assize, and of all pleas of debt, covenant, detinue, account, trespass, and of all other pleas whatsoever within the said Borough liberties or precincts thereof arising or to arise, moved or to be moved, in whatsoever of our courts, whether before us, our heirs and successors, or before us, our heirs and successors, in our court of chancery, or before the Treasurer and Barons of our Exchequer, or our Justices of the Common Pleas, or Justices of Assize, or other Justices of us, our heirs successors, whatsoever; and that the Mayor and Recorder of the said Borough, or their Deputies for the time being, shall and may hold and determine all such pleas before themselves in the Common Hall of the Borough aforesaid, and grant executions thereon.

And that the said Mayor and Recorder of the Borough aforesaid, or their deputies for the time being, shall and may have and hold the Courts of us, our heirs and successors, in the aforesaid common hall, before the Mayor or his Deputy for the time being, every week, upon Monday and Thursday; and that they the said Mayor and Recorder, or their Deputies, and their successors, shall and may hold, in the court aforesaid, all personal pleas by complaints before the Mayor and Recorder or their Deputies for the time being, to be relieved and affirmed in the same court; and the persons against whom such complaints are, or shall happen to be prosecuted or moved, may arrest, or attach by process of law upon their bodies, goods, and chattels within the said Borough, the liberties and precincts thereof, and to cause their bodies to be committed to prison; and to hold all other pleas of lands and tenements in the court aforesaid, upon every other Monday, and all the pleas aforesaid, and the pleas of our court of piepowder, there to hear and determine, and to give judgment thereupon, and also to cause executions to be made from time to time, in such manner and form as hath been heretofore used and accustomed within the said Borough, for the hearing, determining and prosecuting the same.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that they shall, and may for ever hereafter have cognizance of pleas of debt, and trespasses within the said Borough, and precincts and liberties thereof, arising, belonging to the jurisdiction of our high Admiral of England there, and power and authority to hold a court within the said Borough, before the Mayor of the said Borough, or his Deputy for the time being, every Thursday in every week for ever, concerning such pleas and may hear such pleas in the same court, and give judgment, and by due process of law make out executions thereon, so that our High Admiral of England, or Commissioners for executing the office of High Admiral of England, for the time being, may enter the same Borough, and liberties, and precincts thereof, touching such debts and trespasses, and for all other purposes, touching or in any wise concerning our Admiralty, as often as he or they shall see fit, anything in these presents contained to the contrary thereof in any wise notwithstanding.

And whereas Edward the Second heretofore King of England, by his Letters Patent under his great seal of England, bearing date at York, in the twelfth year of his reign, did grant to the Burgesses of the Borough aforesaid, that they the said Burgesses, and their successors, should for ever have in the said Borough, one Fair in every year, to continue for eight days, that is to say, on the vigil and on the day of St. Dennis, and for six days following, unless such Fair tended to the hurt and prejudice of the neighbouring Fairs. And whereas it was represented to our royal predecessors, King William and Queen Mary, by several credible Free Burgesses of the said Borough, that it would be for the good of the same Borough if the said Fair, so as aforesaid granted, should be reduced to four days only, to which said request our said royal predecessors did graciously condescend by their said Letters Patent herein before referred to; therefore we will, and by these presents, for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that they and their successors, shall and may have, in the said Borough, one Fair every year, for four days only, that is to say, on the Vigil and on the Feast of St. Dennis, and to continue for two days then next following, unless it be to the detriment of the neighbouring Fairs.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that no person who is a foreigner and

not free of the said Borough, shall hereafter use or exercise any art, mystery, or manual occupation within the said Borough, liberties or precincts thereof, nor buy or sell within the said Borough, liberties or precincts thereof (except in fairs, during the time of those fairs), any goods, wares or merchandizes, except victuals, by parcels or retail, unless one of the contracting parties be free of the said Borough; and if any foreigner, not free of the said Borough, who buys of, or sells to such other foreigner, any goods, wares or merchandizes, except victuals, within the said Borough or precincts thereof (except in fairs, in the time of such fairs), otherwise than in gross, he shall forfeit all such goods, wares and merchandizes, as time out of mind hath been used and accustomed; and the chief Officer or Officers of the said Borough, for the time being, by themselves or the Officers of the said Borough, or in default of capital Officers, any free man or men of the said Borough, interesting themselves and himself therein, may seize all such goods and merchandizes so forfeited, into their hands, as they have used and been accustomed to do; and detain and appraise them by good and lawful men of the liberty of the said Borough, and dispose of and convert the same to the use of the Commonalty of the Borough aforesaid, without any account to us, or our heirs, or successors, to be therefore rendered or made, unless the person who forfeited such goods or merchandizes will redeem the same, at the value: Which custom we have confirmed, and do by these presents confirm, willing that whatsoever may be hereafter received shall be laid up for the common benefit of the whole Commonalty of the said Borough, according to the custom immemorial used and approved within the said Borough; and that the common treasure of the said Borough, so laid up, be not converted to private uses, but expended for the publick service and emolument of the said Borough, and not otherwise.

And lest the limits and boundaries of the said Borough, and the wards thereof, although now sufficiently known, nevertheless in process of time they may slip the memory of men, whereby strifes and discord may arise, we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that it shall and may be lawful for the said Mayor and Commonalty of the said Borough, and their successors, yearly for ever hereafter to make a perambulation of the said Borough and wards, and the bounds and precincts thereof; and to place and erect metes and divisions in necessary places, to be renewed as often as occasion shall require, that so certain knowledge of the said limits and bounds may be retained for ever.

And we further will, and by these presents for us, our heirs and successors, do ratify, confirm and restore, as far as in us lies, to the afore-

said Mayor and Commonalty of the Borough aforesaid, and their successors, all and singular, so many, such like, and the same hamlets, commons, pastures, fairs, markets, courts of piepowder, view of frankpledge, and other courts, returns of writs, fisheries, fishings, waters, conservancy of waters, rivers, creeks and banks, wharfs, keys, tronage, tolls, goods and chattels of felons, felons of themselves, outlaws goods, waived and howsoever condemned, of persons convicted, deodands, strays, fines, amerciaments, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, freedoms and exemptions whatsoever, which the men, free burgesses of the said Borough, now or heretofore had used or enjoyed, or as they or any of them, or their predecessors, Burgesses of the said Borough, by whatsoever name or names, or by whatsoever title of incorporation they were known, or incorporated, to them or their successors, by reason or virtue of any Charters or Letters Patent by any of our progenitors or ancestors, late Kings or Queens of England, heretofore made, granted or confirmed, or by whatsoever other lawful manner, right, title, custom, prescription or use, heretofore lawfully used, had or accustomed (except all and singular things in any thing contrary to these presents, or in any Charter of grant or confirmation of any our progenitors or ancestors heretofore excepted), to have, hold and enjoy, to the same Mayor and Commonalty of the Borough aforesaid, and their successors for ever, to the only and proper use and behoof of the same Mayor and Commonalty, and their successors for ever, under the ancient fee farm therefore accustomed to be rendered to us for the same; willing that the aforesaid Mayor and Commonalty of the said Borough, and their successors for ever, shall have, hold, enjoy and use all and singular the said hamlets, commons, pastures, common of pasture, fairs, markets, courts of piepowder, view of frankpledge, and other courts, return of writs, fisheries, fishings, waters, conservancies of waters, rivers, creeks, banks, wharfs, keys, tronage, tolls, goods and chattels of felons, felons of themselves, outlaws goods waived and howsoever condemned, or otherwise convicted, deodands, estrays, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, freedoms and exemptions (except before excepted), according to the true intent and meaning of these our Letters Patent, without the let, hindrance or impediment of us, our heirs or successors, Justices, Sheriffs, Bailiffs, Officers, or Ministers whatsoever of us, our heirs and successors; willing moreover that the said Mayor and Commonalty, or their successors, or any of them, or any of our Justices, Officers or Ministers of us, our heirs or successors, of the said Borough, shall not be any ways hindered or molested, for or concerning the due use, claim, abuse, or disuse of any of their liberties, franchises, or jurisdictions aforesaid, heretofore made or done, nor be compelled or compellable in

any manner to answer the same; although express mention be not in these presents made of the true yearly value, or of the certainty of the premises, or of any of them, or of any other gifts or grants by us, or by any of our progenitors or predecessors, to the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid, heretofore made and granted; and notwithstanding any statute, act, ordinance, provision, proclamation, or restriction made, proclaimed, ordained, or provided to the contrary, or any other matter, cause or thing whatsoever, in any wise notwithstanding.

We will also, and by these presents do grant to the said Mayor and Commonalty, that they shall and may have these our Letters Patent, made and sealed in due manner, under our great seal of Great Britain, without any fine or fee, great or small, to be therefore in any wise rendered, paid or done, to us in our hanaper, or elsewhere, to our use.

In witness whereof we have caused these our Letters to be made patent.

Witness ourself at Westminster the ninth day of September, in the third year of our reign.

By writ of Privy Seal.

Cocks.

[The original Charter is in English].



Charter of 58 George III.

20TH FEBRUARY, 1818.

George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, to all to whom these presents shall come.

Whereas the Borough of Colchester, in our County of Essex, is one of the most ancient Boroughs in that part of our United Kingdom called England, is large and populous, containing in itself four wards and sixteen parishes, and chiefly inhabited by Burgesses carrying on considerable trade and merchandise.

And whereas the Burgesses of the said Borough as well by means of divers Charters and Letters Patent heretofore made and granted to them and their predecessors by several of our progenitors and ancestors, Kings and Queens of England, as by prescription and custom, from time whereof the memory of man is not to the contrary, have used and enjoyed within the said Borough divers liberties, franchises, freedoms, privileges, and immunities.

And whereas we, by our Letters Patent, under the Great Seal of Great Britain, bearing date at Westminster, the ninth day of September, in the third year of our reign, at the humble petition of the Burgesses of our said Borough of Colchester, on behalf of themselves and the rest of the Burgesses there, and by and with the advice of our Privy Council, of our especial grace, certain knowledge, and mere motion for us, our heirs, and successors, did will, grant, ordain, constitute, and declare, that the said Borough of Colchester might and should be and remain for ever thereafter a Free Borough of itself, terminated by all its ancient and former metes and bounds, and that the men, Free Burgesses of the same Borough, by whatsoever name or names of incorporation or incorporations they had theretofore been incorporated or called, and whether they had theretofore been incorporated or not, should and might be for ever thereafter one body corporate and politic, in deed and in name, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex; and them by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, one

body corporate and politic, in deed, fact, and name, we did by those our letters patent, really and fully, for us, our heirs, and successors, make, create, confirm, and declare; and that by the same name they should have perpetual succession, as by the said recited Letters Patent, relation being thereunto had, will among other things more fully and at large appear.

And whereas, since the granting of our said Letters Patent as afore-said, it hath been represented unto us, by the humble petition of divers Burgesses of our said Borough of Colchester, on behalf of themselves and others of the Burgesses there, that divers differences having of late time arisen within the said town and corporation, and informations in nature of Quo Warranto having been prosecuted in our Court of King's Bench, and Judgments of Ouster obtained against several of the Members of the said Corporation, the said Corporation is now incapable of enjoying and exercising their said liberties and franchises; we, willing that the petitioners may be relieved in their complaints, as far as in us lies, and that there may be one certain and undoubted method of preserving our peace within the said Borough, and that our people may enjoy their rights there and exercise acts of justice without any further delay:

Know ye therefore, that we, at the humble petition of the said Burgesses of our said Borough of Colchester, in the County of Essex, on behalf of themselves and others of the Burgesses there, and by and with the advice of our Privy Council, of our especial grace, certain knowledge, and mere motion, have willed, granted, ordained, constituted, and declared, and by these presents for us, our heirs and successors, do will, grant, ordain, constitute, and declare that the said Borough of Colchester, in our County of Essex, may and shall be and remain for ever hereafter a Free Borough of itself, terminated by all its ancient and former metes and bounds; and that the men, Free Burgesses of the same Borough, by whatsoever name or names of incorporation or incorporations they have heretofore been incorporated or called, and whether they may have heretofore been incorporated or not, shall and may be for ever hereafter one body corporate and politic, in deed and in name, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex. And them, by the name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, one body corporate and politic, in deed, fact and name, we have made, created, confirmed and declared, and by these presents really and fully, for us, our heirs and successors, do make, create, confirm and declare; and that by the same name they shall have perpetual succession; and that they, by the name of the Mayor

and Commonalty of the Borough of Colchester, in the County of Essex, shall and may be for ever hereafter persons able and capable in law to have, take, purchase, receive, and possess manors, lands, tenements, rents, liberties, privileges, jurisdictions, franchises and hereditaments, of whatsoever kind, nature, name or species they shall or may be, to them and their successors in fee and perpetuity, or for any term whatsoever, and also goods and chattels, or any other things, of whatsoever kind, nature, or species they shall or may be; and also to give, grant, demise, assign, convey, transfer, and dispose of manors, lands, tenements, hereditaments, goods and chattels, and to do and execute all and singular other matters and things concerning the Borough aforesaid, by the name aforesaid for ever; and that by the same name of the Mayor and Commonalty of the Borough of Colchester, in the County of Essex, they shall and may be able to plead and to be impleaded, answer and be answered unto, defend and be defended, in all and singular actions, pleas, suits, complaints, causes, matters, and demands, real, personal or mixed whatsoever, and of whatsoever kind, in whatsoever courts, and before whatsoever Judges or Justices, or other Officers or Ministers of us, our heirs and successors, moved or to be moved, in the same manner and form as any other our liege people of that part of our United Kingdom called England, being persons able and capable in the law, or any other body corporate and politic whatsoever within that part of our United Kingdom called England, may or shall be able to have, take, purchase, give, grant, demise, assign, convey, transfer, or dispose of, or to plead or be impleaded, answer or be answered unto, defend or be defended. And that the Mayor and Commonalty of the Borough aforesaid, and their successors for ever hereafter, shall have a common seal, to serve for all causes and businesses, in any manner concerning the Borough aforesaid; and that it shall and may be lawful, for the same Mayor and Commonalty, and their successors, the same seal at their will, from time to time, to break, alter, and make anew, as to them shall seem expedient.

And further we will, and by these presents for us, our heirs and successors, do declare, that for ever hereafter there shall and may be within the Borough aforesaid, to be nominated and chosen out of the Free Burgesses of that Borough, in the manner in these presents hereinafter expressed, one who shall be called the Mayor, eleven others who shall be called the Aldermen, eighteen others who shall be called the Assistants, and eighteen others who shall be called the Common Council of the said Borough; and which said Mayor shall likewise be an Aldermen of the said Borough; and which said eleven Aldermen, eighteen Assistants, and eighteen of the Common Council of the Borough aforesaid, from time to time shall be counselling, aiding and

assisting to the Mayor of the same Borough for the time being, in all causes, matters and businesses touching or in any wise concerning the said Borough.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that yearly, from henceforth for ever (that is to say), on the Monday which shall first and next happen after the Feast of the Decollation of St. John the Baptist, it shall and may be lawful, as well for the Free Burgesses of the Commonalty of the Borough aforesaid, for the time being, or the major part of them, except as hereinafter excepted, to nominate two of the Aldermen of the Borough aforesaid for the time being as for the Mayor of the Borough aforesaid for the time being, and the residue of the Aldermen of the said Borough not so nominated, and who shall and may be present (not being fewer than four in number) at the election of a Mayor, as hereinafter mentioned, or the major part of them so present, after nomination so made, to elect one of the same Aldermen so nominated as aforesaid to be the Mayor of the Borough aforesaid, and that he who shall be so chosen to be the Mayor of the Borough aforesaid, after such election made, and before he shall be admitted to execute the office of Mayor (that is to say), on the feast-day of St. Michael the Archangel next following after such his election, shall take his corporal oath upon the Holy Evangelists, before the last Mayor of the Borough aforesaid for the time being, his predecessor, and any two of the Aldermen of the said Borough for the time being, or in case of the absence of such last Mayor, then before the Recorder of the said Borough, or his deputy, for the time being, and any two of the Aldermen of the said Borough for the time being, to execute his office of Mayor of the Borough aforesaid rightfully and faithfully, in all things touching that office; and after that oath so taken, he shall and may be able to execute the office of Mayor of the Borough aforesaid for one whole year then next following, and from thence until another person into that office shall be duly elected, preferred and sworn as aforesaid, and so from year to year in every year for ever. And as often as any person who shall be elected into the office of Mayor of the said Borough shall happen to die, or shall refuse to take upon himself the office of Mayor of the said Borough, before he shall have taken such oath as aforesaid, we will that the like nomination and election as aforesaid shall be speedily and without delay made of another person to fill and execute that office as aforesaid, and he that shall be so newly elected as aforesaid shall take the like oath to execute the office of Mayor of the said Borough; and shall and may execute the said office as aforesaid. And if it shall happen that the Mayor of the said Borough for the time being, after he hath been so as aforesaid elected, preferred and sworn into the said office of Mayor of the

said Borough, shall happen to die at any time within the said year, for which he shall have been so elected as aforesaid, or before another person shall have been duly elected, preferred and sworn into that office as aforesaid, we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and to their successors, that, within a reasonable and convenient time after the death of such Mayor, it shall and may be lawful, as well for the Free Burgesses of the Commonalty of the Borough aforesaid for the time being, except as hereinafter excepted, or the major part of them, to nominate two of the Aldermen of the Borough aforesaid, in manner and form aforesaid, as for the residue of the Aldermen of the said Borough not so nominated, and who may be then present (not being fewer than four in number), or the major part of them so present, after such nomination made, to chuse, prefer and swear one of the same Aldermen so nominated Mayor of the said Borough as last aforesaid, in the place and office of the same Mayor so dead; and that he who shall be so elected, preferred and sworn to be Mayor of the said Borough as last aforesaid, shall hold and exercise the said office until the feast day of St. Michael the Archangel then next following, and from thenceforth until another person shall be duly elected, preferred and sworn into that office in manner and form aforesaid; and that during the vacancy of the Mayoralty as aforesaid, the Alderman then living who shall have last served the office of Mayor, and in case no such Alderman shall then be living, the Alderman who shall be first in order and precedence as hereinafter named, or in case of the death, resignation, or removal of all the Aldermen herein named, then the Alderman who shall be first in seniority of election, who shall be in the Borough aforesaid, shall officiate as Mayor, and so from time to time, as often as the case shall so happen, for ever.

And moreover we will, and by these presents do declare, that each of the Aldermen aforesaid, in form in these presents hereafter to be elected after that he is chosen into the office of an Alderman of the Borough aforesaid, and before he shall be admitted to exercise that office, shall take his corporal oath before the Mayor and any two of the Aldermen of the Borough aforesaid for the time being, rightly and faithfully to execute the office of Alderman of the said Borough in all things touching and concerning the same office; and after the said oath so taken, we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that such person so sworn into the office of Alderman of the same Borough, shall use and exercise the same during his natural life, unless he shall be removed from that

office as hereinafter mentioned, or shall resign his said office; and if it shall happen that any one of the Aldermen of the Borough aforesaid by these presents appointed, or by virtue thereof hereafter to be chosen, shall die, be removed from or resign his said office, then after the death, removal, or resignation of such Alderman (that is to say), at a convenient and within a reasonable time, it shall and may be lawful, as well as for the Free Burgesses of the Commonalty of the Borough aforesaid for the time being (except as hereinafter excepted), or the major part of them, to nominate two of the Assistants of the same Borough for the time being (so that neither of them exercise the business of an alehouse-keeper, brewer, or maltster) as for the Mayor, the residue of the Aldermen then living, the residue of the Assistants not named, and the Common Council of the Borough aforesaid for the time being, or the major part of them, the said Mayor, Aldermen, Assistants, and Common Council who shall be present on such occasion (the said Assistants and Common Council not being fewer in number than seven respectively), after such nomination made, to chuse and prefer one of the same Assistants so named into the office of an Alderman of the said Borough in the place and stead of such Alderman so dead, removed, or having resigned as aforesaid to supply the aforesaid number of Aldermen of the Borough aforesaid, and so from time to time, as often as the case shall so happen, for ever.

We will also, by these presents, that each of the Assistants aforesaid, to be chosen in the manner hereinafter in these presents mentioned, after he is chosen an Assistant of the Borough aforesaid, and before he is admitted to exercise the office of an Assistant of the said Borough, shall take his corporal oath before the Mayor and any two of the Aldermen of the Borough aforesaid for the time being, truly and faithfully to execute the office of an Assistant of the said Borough in all things touching or concerning the said office; and after such oath so taken, we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that such person so sworn an Assistant of the same Borough as aforesaid, shall exercise and use the same office for and during the term of his natural life, unless he shall be chosen and preferred to be one of the Aldermen of the said Borough, or for any cause as hereinafter mentioned, shall be removed from or shall resign his said office; and if it shall happen that any of the aforesaid Assistants of the Borough aforesaid, appointed by these presents or hereafter to be chosen by virtue of the same, as aforesaid, shall die, be removed from or resign his said office of Assistant of the same Borough, then after the death, removal or resignation of such Assistant (that is to say), at a convenient and within a

reasonable time, it shall and may be lawful for the Free Burgesses of the Commonalty of the Borough aforesaid for the time being (except as hereinafter excepted), or the major part of them, to chuse and prefer one of the aforesaid eighteen Common Council men of the Borough aforesaid, for the time being, into the place of an Assistant of that Borough in the room and stead of such Assistant so dead, removed or having resigned, to supply the aforesaid number of Assistants of the Borough aforesaid, and so from time to time, as often as the case shall so happen, for ever.

And moreover we will, and by these presents do declare, that every Common Council man of the said Borough, to be chosen in manner hereafter in these presents expressed, after that he is chosen one of the Common Council of the said Borough as hereinafter mentioned, and before he shall be admitted to exercise the office of Common Council man within the said Borough, shall take his corporal oath before the Mayor and any two of the Aldermen of the Borough aforesaid for the time being, truly and faithfully to execute the office of a Common Council man of the said Borough touching and concerning all things belonging to the said Office; and that after such oath so taken, we will, and by these presents, for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that the said person so sworn into the said office of one of the Common Council of the said Borough shall exercise and use the same during the term of his natural life, unless he shall be elected and be preferred to be one of the Assistants of the Borough aforesaid, or for any cause hereinafter mentioned shall be removed from or shall resign his said office; and if it shall happen that any Common Council man of the Borough aforesaid, by these presents appointed or to be chosen hereafter by virtue of the same, shall die, be removed from or shall resign his said office of one of the Common Council of the said Borough, then, from and after the death, removal, or resignation of such Common Council man as aforesaid (that is to say), at a convenient and within a reasonable time, it shall and may be lawful as well for the Free Burgesses of the Commonalty of the Borough aforesaid, for the time being (except as hereinafter excepted), or the major part of them, to nominate two of the Free Burgesses of the Commonalty of the said Borough, of good character and repute, and residing within the said Borough, as for the Mayor, Aldermen, Assistants, and residue of the Common Council of the Borough aforesaid, for the time being, or the major part of them present on that occasion, not being fewer than four in number of the Aldermen, seven in number of the Assistants, and seven in number of the Common Council, after such nomination made, to chuse, elect, and prefer one of the said two Free

Burgesses so nominated into the office of one of the Common Council of the said Borough, in the room, place, and stead of the Common Council man so dead, removed, or having resigned, to supply the number of eighteen Common Council men of the said Borough, and this from time to time, as often as the case shall so happen, for ever.

Moreover we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid and their successors, that if any person who shall be hereafter in due manner elected to the office of Mayor, Alderman, Assistant, or Common Council man, or to any other office within the said Borough, being a member of the body of the said Borough so as aforesaid incorporated and partaking of the freedom thereof, and having notice of such his election, shall refuse or neglect to exercise the office to which he shall be so chosen, that then and so often it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common Council of the said Borough for the time being, or the major part of them, to impose and set a reasonable fine or amerciamment upon every such person so refusing or neglecting for such his refusal or neglect after such election as aforesaid; and if any one so refusing or neglecting shall neglect and refuse to pay the fine or amerciamment so imposed upon him, that then and so often, as the case shall so happen, to commit every such person so refusing to the common gaol of the Borough aforesaid, and there to detain him or them until he or they shall pay or cause to be paid such fine or amerciamment.

And further we will, and by these presents ordain, that for ever hereafter there shall and may be within the Borough aforesaid an High Steward, to advise and direct the Mayor and Commonalty of the said Borough in the most important affairs touching the said Borough, which said High Steward shall continue in his office of High Steward of the Borough aforesaid during his natural life, unless of his own free will he shall freely and voluntarily relinquish that office, and if it shall happen that any High Steward of the said Borough by these presents appointed, or hereafter to be chosen by virtue thereof, shall die or resign his said office, in such case we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that after the death or resignation of such High Steward (that is to say), at a convenient and within a reasonable time, it shall and may be lawful for the Mayor, Aldermen, Assistants, Common Council, and Free Burgesses of the Commonalty of the Borough aforesaid for the time being (except as hereinafter excepted), or the major part of them, to chuse and prefer one

other person to be High Steward of the said Borough, in the place of such High Steward so dead or having resigned, and this from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, that for ever hereafter they shall and may have in the Borough a man of probity, fitly skilled in the Law, being a Barrister of three years standing at the least, to be chosen in the manner in these presents expressed, who shall be called Recorder of the said Borough, to advise and direct the Mayor and Commonalty of the said Borough, in whatsoever business shall arise touching or concerning the same Borough, and to do and execute all other things which do belong to the office of Recorder within the said Borough, either by himself or by his sufficient deputy; and that the same person so to be chosen Recorder, after that he is chosen Recorder of the said Borough, and before he shall be admitted to execute the office of Recorder within the said Borough, shall take his corporal oath, before the Mayor, Aldermen, Assistants, and Common-Council of the said Borough for the time being, or so many of them as shall be present, or, in the absence of the Mayor, before the said Aldermen, Assistants, and Common-Council then present, faithfully to execute the Office of Recorder of the said Borough, in all things touching or concerning that office; and that after such oath so taken, he shall exercise and use the office of Recorder of the said Borough during the term of his natural life, by himself or his sufficient deputy, unless he shall of his own accord voluntarily relinquish the said office; and if it shall happen that any Recorder of the said Borough appointed by these presents or hereafter to be chosen by virtue thereof, shall refuse to accept the said office, happen to die, or shall resign his said office, we will and by these presents for us, our heirs, and successors, do further grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that after such refusal, or the death or resignation of such Recorder, that is to say, at a convenient and within a reasonable time, it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common-Council of the said Borough for the time being, and the rest of the Burgesses of the said Borough (except as hereinafter excepted), or the major part of them, to chuse and prefer one other man of probity, fitly skilled in the law, and being also a Barrister of three years standing at the least, into the office of Recorder of the said Borough, in the room of such Recorder so refusing, being, or having resigned; and so from time to time, as often as the case shall so happen, for ever.

And further we will and by these presents for us, our heirs, and successors, do ordain, that for ever hereafter there shall and may be within the said Borough one experienced and honest man, who shall be called Town Clerk or Common Clerk of the said Borough, to be chosen by the Recorder of the said Borough for the time being; which said Town Clerk, by himself or his sufficient deputy, to be approved of by the Recorder for the time being, by writing under his hand, shall write and prepare all recognizances to be taken and acknowledged before the Mayor of the Borough aforesaid, or any other Justice assigned to keep our Peace within the same Borough for the time being, and the said recognizances so taken and acknowledged shall transcribe and engross upon parchment; and all and singular laws, ordinances, constitutions, and provisions which shall be ordained, established, or made by the Mayor, Aldermen, Assistants and Common-Council of the said Borough for the time being, or the major part of them, in their Assemblies in the Town Hall, within the said Borough, for the good Rule and Government of the said Borough, and all processes and acts of Court, at the Sessions of the Peace to be held in and for the said Borough, and all actions, complaints, pleas, processes, and acts of Court, in whatsoever other courts within the said Borough shall enrol; and shall write and prepare all deeds, writings, charters, and muniments concerning the Mayor and Commonalty of the said Borough, and their successors, in their corporate or politic capacity, and shall faithfully do and execute all other things which appertain to the office of Town Clerk or Common Clerk of the said Borough; which said Town Clerk or Common Clerk of the said Borough, before that he is or shall be admitted to exercise that office within the said Borough, shall take his corporal oath, before the Mayor, Aldermen, Assistants, and Common-Council of the said Borough, for the time being, or so many of them as shall be present truly and faithfully to execute, by himself or his sufficient deputy, the office of Town Clerk in all things touching and concerning the said office; and that after such oath taken, he shall and may use and exercise the office of Town Clerk or Common Clerk of the Borough aforesaid, by himself or his sufficient deputy, during the pleasure of the Recorder of the said Borough for the time being, so as the vacancy of the said office of Recorder, by death or otherwise, at any time after the appointment of the said Town Clerk, or Common Clerk, shall not determine the said appointment of Town Clerk, or Common Clerk, or in anywise vacate the said Office of Town Clerk, or Common Clerk, of the Borough aforesaid, but that the said Town Clerk, or Common Clerk, shall and may continue to act as Town Clerk until a Recorder shall be appointed; and also shall receive all the lawful Fees and Profits belonging to his said Office of Town Clerk, or Common Clerk, during such time as he shall continue and be in his said office of Town Clerk, or Common Clerk, as aforesaid.

And because the dignity of the body corporate may not be wholly lost by the non-observance of what is ornamental, we therefore will and by these presents for us, our heirs and successors, do ordain that the Mayor of the said Borough for the time being, clothed in a Mayor's gown, and the Aldermen, Assistants, and Common-Council of the said Borough for the time being, clothed with garments suitable to their respective offices, shall upon Sundays, Festivals, and Holidays assemble at the Moot-hall of the said Borough, and go from thence to Church, to attend Divine Service; and that the Sergeants-at-Mace of the said Borough, for the time being, together with the other officers of the said Borough shall be attending on the Mayor, which Sergeants-at-Mace shall bear and carry before the said Mayor a silver mace, engraven and ornamented with our Arms.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that for ever hereafter it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common-Council of the Borough aforesaid for the time being, and the rest of the Burgesses of the said Borough (except as hereinafter excepted), or the major part of them, as often as need shall require, to remove every or any Alderman, Assistant, and Common-Council Man of the said Borough hereby appointed, or hereafter to be chosen by virtue of these presents, from his or their office or offices, for misbehaviour therein, or for any other just and reasonable cause.

And we further will, and by these presents ordain, that in every election hereafter to be made of any officer or minister within the said Borough, in which the Mayor of the said Borough for the time being shall have a vote, and the voters shall be equally divided in their votes, then, and in every such case, the Mayor of the said Borough for the time being shall have a double or casting vote, and in all nominations and elections hereafter to be made within the said Borough, in which the Free Burgesses of the Commonalty of the said Borough shall have votes.

To the end that faction and division amongst the voters may as far as possible be taken away and removed, and that no person who is unworthy or unfit to be an officer or minister within the said Borough may be preferred through favour or interest, we do further will, and by these presents declare, that no Free Burgess of the said Borough, who at the time of any nomination and election to be made, shall serve as Chamberlain, or Drawer, or in any other manner, in a common inn, tavern, or victualling-house, or serve another person in any business or mystery for wages or salary, or is not master of

a family within the Borough aforesaid, and does not pay scot and lot there, or shall have been found guilty of felony, adultery, fornication, drunkenness, or profanation of the most holy name of God by frequent oaths, or convicted of any crime punishable by the laws and statutes of this realm, or who lives by alms, shall ever hereafter have a vote in any such nomination or election, in any manner howsoever.

And for the better government of the said Borough, for the present, we have nominated, created, constituted, and made, and by these presents, for us our heirs and successors, do nominate, create, constitute, and make our trusty and well-beloved Edward Clay, Esquire, to be the first and modern Mayor of the said Borough; and our trusty and well-beloved William Argent, Esquire, John King, William Smith, Robert Hewes, Francis Tillet Abell, George Rayner, William Mason, James Boggis, Esquire, John Clay, Samuel Clay, and George Round, Esquire, of the Borough aforesaid, to be the first and modern eleven other Aldermen of the said Borough; and our trusty and well-beloved Nathaniel Hedge, Thomas Watts, Thomas Tayspill, William Potter Rolle, John Taylor, Robert Stanes, William Cant, Byatt Walker, John Theobald, Henry Martin Johnson, Thomas Blyth, William Posford Harrington, John Bawtree, Richard Hoblyn, Clerk; Edward Crosse, Clerk; Samuel Bawtree, John Mills, junior, and Alexander Fordyce Miller, gentlemen, of the said Borough to be first and modern eighteen assistants; and our trusty and well-beloved William Barnes, John Robinson, John Nunn, John Devall, William Bland, Thomas Rawling, James William Mason, Benjamin Strutt, Charles Cobbold, William Fenton, Daniel Oathwaite Blyth, Horatio Perkins, William Downes, William Sparling, Roger Nunn, William Younghusband, John Keeling, and Charles Parker, gentlemen, of the Borough aforesaid, to be the first and modern eighteen Common-Council; and our trusty and well-beloved John Round, Esquire, to be the first and modern High Steward of the said Borough; and our trusty and well-beloved Charles Runnington, Esquire, Sergeant-at-Law, being a man of integrity and skilled in the law, to be the first and modern Recorder of the said Borough: Willing that the said Edward Clay shall be and continue Mayor of the said Borough, from henceforth until the feast-day of Saint Michael the Archangel next following, and from thence until another shall be duly elected, preferred, and sworn into that office, according to the ordinance and provision in these presents above for that purpose declared, if the same Edward Clay shall so long live; and after the Election and swearing in of another Mayor in his stead, he shall be and continue one of the Aldermen of the said Borough during his natural life, unless he shall resign his said office, or for any reasonable cause be removed therefrom.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that if it shall happen that the Mayor of the said Borough, for the time being, shall be prevented by sickness, or be employed in the service of us, our heirs or successors, out of the said Borough, so that he cannot attend the necessary business thereof in his said office of Mayor, or for any other reasonable cause shall be absent from the said Borough, that then and so often, it shall and may be lawful for the said Mayor to appoint and constitute, in his place, one honest and discreet man of the Aldermen of the said Borough, for the time being, to be his deputy during such his sickness or necessary absence; which said deputy, so to be appointed and constituted, before he shall be admitted to exercise the office of Deputy-Mayor within the said Borough, shall take his corporal oath before the Aldermen of the said Borough, for the time being, or so many of the same Aldermen as shall be present, faithfully to execute his said office; and after such oath so taken, shall and may do, and cause to be done, all affairs and business touching or in any wise concerning the said Borough, and be present at the doing of all things which belong to the office of Mayor of the Borough, during the sickness or absence of such Mayor, in as full and ample manner and form as the said Mayor might or could do if personally present, and so from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same Borough, and their successors, that if it shall happen that the Recorder of the Borough aforesaid, for the time being, shall not be able to attend the necessary business of the said Borough, touching the office of Recorder of the same Borough, that then, and so often, it shall and may be lawful for the said Recorder to appoint and constitute, in his place, one honest and fit man, skilled in the law, being a Barrister of three years standing at the least, to be his deputy during such his absence; which said deputy, so to be appointed and constituted, before he shall execute his office of Deputy-Recorder within the Borough aforesaid, shall take his corporal oath before the Mayor and four, at the least, of the Aldermen of the said Borough, for the time being, or, in the absence of the Mayor, then before such Aldermen only, for the faithful execution of his Office; and after such oath so taken, he shall and may do and execute all and singular such things as belong to the office of Recorder of the said Borough, during the absence of such Recorder, in as ample manner and form as such Recorder himself might do and execute if personally present, and so from time to time, as often as the case shall so happen, for ever.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that it shall and may be lawful for the Mayor, Aldermen, Assistants, and Common Council of the said Borough for the time being, or the major part of them, whereof the Mayor of the said Borough for the time being we will to be one, together with the Recorder of the said Borough, or his deputy lawfully appointed, to make, establish, and ordain the form or forms of an oath or oaths proper to be taken by every Officer and Minister of the said Borough, and by their Deputies aforesaid from time to time respectively ; and the same oath or oaths so made, established, and ordained, to cause to be administered to the same Officers, Ministers, and deputies respectively, from time to time, in form aforesaid, and this without any other commission or warrant, to be procured or obtained from us, our heirs, or successors, in that behalf :

Moreover we will, and by these presents, for us, our heirs, and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the same Borough, and their successors, that the Mayor, Aldermen, Assistants, and Common Council of the said Borough for the time being, or the major part of them, whereof we will the Mayor of the said Borough for the time being to be one, shall from time to time, for ever hereafter, have full power and authority to assemble in the Common Hall of the said Borough, or any part thereof, or, in case of necessity, at any other place within the said Borough, and there to hold Councils ; and, in those Councils so held, to make, frame, constitute, ordain, and establish good, wholesome, honest, useful, necessary and reasonable laws, constitutions, ordinances, and provisions, according to their sound discretion, for the good rule, advantage, and government of the said Borough, and of all and singular the Officers, Ministers, Artificers, Inhabitants, and Resiants within the said Borough, and the bounds, limits, and precincts of the same, and of all others resorting to the said Borough ; and for declaring in what method and order the said Mayor, Aldermen, Assistants, and Common Council, and all and singular the Officers and Ministers of the said Borough shall behave, order, and conduct themselves within the Borough aforesaid, and the bounds, limits, and precincts thereof, upon Sundays, Festivals, and Holidays, for the greater order of the said Borough, and how the said Mayor, Aldermen, Assistants, Common Council, Officers, and Ministers, and all and every the Burgesses, Artificers, Inhabitants, and Resiants of the said Borough, shall at all times hereafter behave, order, and conduct themselves in their several offices, ministries, and functions or trades within the said Borough, and the bounds, limits, and precincts thereof, for the public good and common

utility of the said Borough; and also for victualling the said Borough, and for all other matters concerning the said Borough, and for procuring the due execution of the laws, constitutions, ordinances, and provisions so framed, constituted, ordained, and established; which we will shall be observed, under such pains and penalties, by imprisonment of body, or by reasonable fines and amerciaments, or by either of them, to be mentioned, prescribed, and contained in such laws, constitutions, ordinances and provisions, and imposed on offenders against the same, as to the said Mayor, Aldermen, Assistants, and Common Council, or the major part of them, whereof the Mayor of the said Borough for the time being to be one, shall seem necessary to be set and imposed for the better observance of the said laws, constitutions, ordinances and provisions; and that all such fines and amerciaments so to be imposed, shall and may be levied and received for the use of the Mayor and Commonalty of the Borough aforesaid, without the let of us, our heirs or successors; or any officers or ministers of us our heirs or successors, and without any account thereof to be rendered to us our heirs or successors, so nevertheless that those laws, constitutions, ordinances and provisions, and the fines and penalties in the same contained, shall not be contrary to the laws, statutes, or customs of that part of our United Kingdom of Great Britain and Ireland, called England.

And to the end that full and speedy justice may be the better administered to all our subjects residing there or resorting thither, as the law requires, we further will, and by these presents do ordain, that the Mayor and Recorder of the Borough aforesaid, and their deputies for the time being, and the Alderman who was the last Mayor of the said Borough, being the Alderman next in order to the Mayor of the said Borough, with four other Aldermen to be yearly chosen, according to the ancient and established usage of the said Borough, shall, and each of them shall, be the Justices and Justice of us, our heirs and successors, to preserve and keep the peace of us, our heirs and successors, within the said Borough, and the liberties and precincts thereof; and the statutes and ordinances made at Winchester, Northampton, and Westminster, for the keeping of the same peace; and the statutes and ordinances there and at Cambridge, concerning hunters, workmen, artificers, servants, ostlers, beggars, vagrants, and other men who call themselves travelling men; and also a certain other statute made in the Parliament of the Lord Henry the Fifth, late King of England, holden at Westminster aforesaid, touching the counterfeiting, clipping, washing, and otherwise falsifying the coin of the realm; and also all and singular ordinances and statutes made and to be made for the good and peace of us, our heirs and successors, and the quiet rule and government of the people of us, our heirs and successors, in

all articles within the Borough aforesaid, the liberties and precincts thereof, to be kept according to the force, form, and effect of the same; and to chastise and punish all those who shall be found offending against the form of the ordinances and statutes aforesaid, according to the said statutes and ordinances; and to cause all such persons to be brought before them who shall threaten the hurt of us, our heirs and successors, or the people of us, our heirs and successors, concerning their bodies, or by firing of their houses; and to make them find sufficient security for the keeping our peace, and well behaving themselves towards us, and the people of us, our heirs and successors; and if they shall refuse to find such security, then to commit, or cause them to be committed, to the prison of the said Borough, until they shall find such security.

And moreover, that they, or any three of them, whereof the Mayor and Recorder of the Borough aforesaid, or their deputies, respectively, for the time being, we will to be two, shall have full power and authority hereafter, for ever, to inquire, by the oaths of good and sufficient men of the Borough aforesaid, and the liberties and precincts thereof, by whom the truth of the premises may be the better known, of all manner of felonies, trespasses, forestallers, regrators, and extortioners within the said Borough, liberties and precincts thereof, by whomsoever in any manner done or committed, or which shall hereafter happen to be done or committed therein; and also of all and singular other matters and things done, attempted, or committed, or which hereafter shall be done, attempted, or committed within the said Borough, liberties or precincts thereof, which ought and have been accustomed to be inquired into by the keepers of the peace of us, our heirs and successors, and the Justices of us, our heirs and successors, appointed or to be appointed to inquire of such felonies, trespasses, and misdemeanours in any County, in that part of our United Kingdom of Great Britain and Ireland, called England, by virtue of the ordinances and statutes aforesaid, heretofore made and done, or hereafter to be made and done, and to hear and determine all and singular the premises, and all other things whatsoever done or hereafter to be done, attempted, or committed within the said Borough, liberties or precincts thereof, which by such the keepers of the peace of us, our heirs and successors, and by the Justices of us, our heirs and successors, assigned and to be assigned to hear and determine such felonies, trespasses, and misdemeanours in any County in that part of our said United Kingdom called England, by virtue of the ordinances and statutes aforesaid may be heard and determined, and which used to be and still ought to be by them, the said Mayor and Recorder, and their deputies respectively, and Aldermen

of the said Borough, or any three of them, whereof the Mayor and Recorder of the said Borough, or their deputies respectively, for the time being, we will to be two, heard and determined according to the laws and customs of that part of our said United Kingdom, called England, and the form of the ordinances and statutes aforesaid; so that all writs, precepts, and other warrants, for all and singular the premises aforesaid, be made and directed to the Officers of the Borough aforesaid, and shall be executed by them without any other writ, precept, or warrant in any manner to be directed to or by the Sheriff or Coroner of us, our heirs and successors, within our County of Essex, so that the Justices of the peace of us, our heirs and successors, assigned or to be assigned to hear and determine all such felonies, trespasses, and misdemeanours done and perpetrated, or to be done and perpetrated in the said County of Essex, or any of them, may not enter the Borough aforesaid, or the liberties or precincts thereof, nor in any manner, nor under any pretence, intermeddle or do any thing belonging or appertaining unto such Justices of the Peace within the said Borough.

We will also, that every such Mayor and Recorder of the said Borough, and their deputies respectively, and the aforesaid five Aldermen of the said Borough for the time being, before that either of them shall be admitted to exercise the office of a Justice of the Peace within the said Borough, shall respectively take his corporal oath, upon the Holy Evangelists of God, well and truly to exercise the office of Justice of the Peace within the said Borough, the liberties and precincts thereof, according to the laws and statutes of this realm, in such cases made and provided; that is to say, the Mayor and his deputy, and the aforesaid five Aldermen, before the Recorder aforesaid, or his deputy; and the Recorder and his deputy before the Mayor, or his deputy, for the time being: To which said Mayor and Recorder, and their deputies respectively, we do give, grant, and confirm, by these presents, full power and authority to administer such oath as aforesaid, without any other warrant or commission from us, our heirs or successors, to be had or obtained in that behalf.

And that nothing may be permitted in the said Borough, whereby the Burgesses of the said Borough may be induced to become vicious, or to disturb our peace within the said Borough, we will that the Justices appointed to keep the peace within the said Borough, for the time being, shall not hereafter permit any person to retail ale or beer, hopped or unhopped, within the said Borough, without a lawful licence in that behalf first had and obtained; and that they may not rashly and inconsiderately grant licence to any person, we will that such licence so granted be made in writing, and

subscribed with the hands of two of the Justices aforesaid, whereof the Mayor of the Borough aforesaid, for the time being, we will to be one; otherwise such licence shall be void.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that for ever hereafter it shall and may be lawful for the Mayor and Recorder of the said Borough, and their deputies respectively, and the aforesaid five Aldermen of the said Borough, for the time being, or any three of them, whereof the Mayor and Recorder of the said Borough, or their deputies respectively, for the time being, we will shall be two, in every year, at four times of the year, according to the form of the statute in that case made and provided, to hold and keep within the Common Hall of the said Borough, or in any other convenient place within the said Borough, and the liberties and precincts thereof, the sessions of the peace, concerning all matters, things, causes, and offences happening, accruing, arising, done, or committed within the said Borough, liberties and precincts thereof; and to do and execute all things in the said sessions of the peace in as ample manner and form as the said Justices of the Peace of our said County of Essex might and may do and execute in the like cases at the sessions to be holden in and for the said County.

Moreover we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that the Mayor and Recorder of the said Borough, or their deputies respectively, for the time being, shall for ever hereafter have the cognizance of all pleas, as well real as personal and mixed, and of all other pleas whatsoever of lands and tenements, within the said Borough, liberties and precincts thereof, and also of pleas of assize, novel disseisin, mort d'ancestor, redisseisin, attainders, and certificates of assize: and of all pleas of debt, covenant, detinue, account, trespass, and of all and all manner of contracts for above forty shillings or under; and of all other pleas whatsoever within the said Borough, liberties or precincts thereof, arising or to arise, moved or to be moved, in whatsoever of our courts, whether before us, our heirs and successors, or before us, our heirs and successors in our Court of Chancery, or before the Treasurer and Barons of our Exchequer, or our Justices of the Common Pleas or Justices of Assize, or other Justices of us, our heirs and successors whatsoever; and that the Mayor and Recorder of the said Borough, or their deputies respectively, for the time being, shall and may hold and determine all such pleas before themselves, in the Common Hall of the Borough aforesaid, and grant executions thereon.

And that the said Mayor and Recorder of the Borough aforesaid, or their deputies respectively, for the time being, shall and may have and hold the courts of us, our heirs and successors, in the aforesaid Common Hall, before the Mayor, or his Deputy, for the time being, every week, upon Monday and Thursday; and that they the said Mayor and Recorder, or their Deputies respectively, and their successors, shall and may hold in the court aforesaid all personal pleas by complaints before the Mayor and Recorder, or their Deputies, for the time being, to be relieved and affirmed in the same court; and the persons against whom such complaints are or shall happen to be prosecuted or moved, may arrest or attach by process of law upon their bodies, goods, and chattels, within the said borough, the liberties and precincts thereof, and to cause their bodies to be committed to prison, and to hold all other pleas of lands and tenements in the court aforesaid upon every other Monday, and all the pleas aforesaid, and the pleas of our Court of Pie-powder, there to hear and determine and to give judgment thereupon, and also to cause executions to be made from time to time in such manner and form as hath been heretofore used and accustomed within the said Borough for the hearing, determining, and prosecuting the same.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that they shall and may for ever hereafter have cognizance of pleas of debt and trespasses within the said Borough, and precincts and liberties thereof, arising, belonging to the jurisdiction of our High Admiral of England there, and power and authority to hold a court within the said Borough, before the Mayor of the said Borough, or his deputy, for the time being, every Thursday in every week for ever, concerning such pleas; and may hear such pleas in the same court and give judgment, and, by due process of law, make out executions thereon, so that our High Admiral of our United Kingdom of Great Britain and Ireland, or Commissioners for executing the Office of High Admiral of our said United Kingdom, for the time being, may enter same Borough, and liberties and precincts thereof, touching such debts and trespasses, and for all other purposes touching, or in anywise concerning, our Admiralty, as often as he or they shall see fit, any thing in these presents contained to the contrary thereof in anywise notwithstanding.

And further we will, and by these presents for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that no person who is a Foreigner, and not free of the said Borough, shall hereafter use or exercise any Art or Mystery, or manual occupation within the said Borough, liberties or precincts

thereof, nor buy or sell within the said Borough, liberties or precincts thereof (except in fairs, during the time of those fairs), any goods, wares, or merchandizes, except victuals, by parcels or retail, unless one of the contracting parties be free of the said Borough; and if any Foreigner, not free of the said Borough who buys of or sells to such other Foreigner any goods, wares, or merchandizes, except victuals, within the said Borough, or precincts thereof (except in fairs, in the time of such fairs), otherwise than in gross, he shall forfeit all such goods, wares, and merchandizes, as time out of mind hath been used and accustomed; and the chief officer or officers of the said Borough, for the time being, by themselves or the officers of the said Borough, or, in default of chief officers, any freeman or freemen of the said Borough, interesting themselves and himself therein, may seize all such goods and merchandizes so forfeited, into their hands, as they have used and been accustomed to do; and detain and appraise them by good and lawful men of the liberty of the said Borough, and dispose of and convert the same to the use of the Commonalty of the Borough aforesaid, without any account to us, or our heirs or successors, to be therefore rendered or made, unless the person who forfeited such goods or merchandizes will redeem the same at the value: which custom we have confirmed, and do by these presents confirm, willing that whatsoever may be hereafter received shall be laid out for the common benefit of the whole Commonalty of the said Borough, according to the custom immemorially used and approved within the said Borough; and that the common Treasure of the said Borough, so laid up, be not converted to private uses, but expended for the public service and emolument of the said Borough, and not otherwise.

And lest the limits and boundaries of the said Borough, and the wards thereof, although now sufficiently known, nevertheless, in process of time should slip the memory of man, whereby strifes and discords may arise, we will, and by these presents, for us, our heirs and successors, do grant and confirm to the aforesaid Mayor and Commonalty of the said Borough, and their successors, that it shall and may be lawful for the said Mayor and Commonalty of the said Borough and their successors yearly, for ever hereafter, to make a perambulation of the said Borough and wards, and the bounds and precincts thereof; and to place and erect metes and divisions in necessary places, to be renewed as often as occasion shall require, that so certain knowledge of the said limits and bounds may be retained for ever.

And we further will, and by these presents for us, our heirs and successors, do ratify, confirm, and restore, as far as in us lies, to the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, all and

singular so many, such like, and the same hamlets, commons, pastures, fairs, markets, courts of piepowder, view of frank-pledge and other courts, returns of writs, fisheries, fishings, waters, conservancies of waters, rivers, creeks and banks, wharfs, keys, tronage, tolls, goods and chattels of felons, felons of themselves, outlaws, goods, waived and howsoever condemned, of persons convicted, deodands, estrays, issues, forfeitures, fines, amerciaments, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, customs, franchises, freedoms and exemptions, whatsoever, as fully, freely, and entirely, and in as ample manner and form, as the men Free Burgesses of the said Borough now or at any other time heretofore had, used, or enjoyed, or as they or any of them, or their predecessors, Burgesses of the said Borough, by whatsoever name or names, or by whatsoever title of incorporation, they were known, or incorporated, to them or their successors, by reason or virtue of any charters, or letters patent, by any of our progenitors or ancestors, late Kings or Queens of England, heretofore made, granted or confirmed, or by whatsoever other lawful means, right, title, custom, prescription, or use, heretofore lawfully used, had, or accustomed (except all and singular things in anything contrary to these presents, or in any charter or grant, or confirmation of any of our progenitors or ancestors heretofore excepted), together with all their manors, lands, tenements, and hereditaments whatsoever, with their and every of their appurtenances, of which they at any time heretofore have been seised, or have had, possessed, occupied, or enjoyed, to have, hold, and enjoy the same to the said Mayor and Commonalty of the Borough aforesaid, and their successors, for ever, to the only and proper use and behoof of the same Mayor and Commonalty, and their successors, for ever, under the ancient fee-farm therefore accustomed to be rendered to us for the same; willing that the aforesaid Mayor and Commonalty of the Borough aforesaid, and their successors, for ever, shall have, hold, enjoy, and use all and singular the said manors, lands, tenements and hereditaments, hamlets, commons, pastures, common of pasture, fairs, markets, courts of piepowder, view of frank-pledge, and other courts, return of writs, fisheries, fishings, waters, conservancies of waters, rivers, creeks, banks, wharfs, keys, tronage, tolls, goods, chattels of felons, felons of themselves, outlaws, goods waived and howsoever condemned, or otherwise convicted, deodands, estrays, issues, forfeitures, profits, commodities, advantages, emoluments, hereditaments, authorities, liberties, privileges, rights, jurisdictions, immunities, customs, franchises, freedoms, and exemptions (except before excepted), with their and every of their appurtenances, according to the true intent and meaning of these our Letters Patent, without the let, hindrance, or impediment of us, our heirs or successors, Justices, Sheriffs, Bailiffs, Officers, or Ministers whatsoever, of us, our heirs and successors; willing

moreover that the said Mayor and Commonalty, or their successors, or any of them, or any of the Justices, Officers, or Ministers of us, our heirs, or successors, of the said Borough, shall not be in anywise hindered or molested for or concerning the due use, claim, abuse, or disuse of any of their liberties, franchises, or jurisdictions aforesaid, heretofore made or done, nor be compelled or compellable in any manner to answer the same; although express mention be not in these presents made of the true yearly value, or of the certainty of the premises, or of any of them, or of any other gifts or grants by us, or by any of our progenitors or predecessors, to the aforesaid Mayor and Commonalty of the Borough of Colchester aforesaid heretofore made and granted; and notwithstanding any statute, act, ordinance, provision, proclamation, or restriction made, proclaimed, ordained, or provided to the contrary, or any other matter, cause, or thing whatsoever in anywise notwithstanding.

We will also, and by these presents do grant to the said Mayor and Commonalty, that they shall and may have these our Letters Patent made and sealed in due manner under our great seal of our United Kingdom of Great Britain and Ireland, without any fine or fee, great or small, to be therefore in anywise rendered, paid, or done to us, in our hanaper, or elsewhere, to our use.

In witness whereof we have caused these letters to be made patent.

Witness ourself, at our palace at Westminster, the twentieth day of February, in the fifty-eighth year of our reign.

By writ of Privy Seal.

WILMOT.

[The original Charter is in English].

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